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Mary F. Parker
City Clerk



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***SEPTEMBER 4, 2001
12:15 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

1. Call to Order--Roll Call.

A communication from Mayor Ralph K. Smith requesting that Council convene in Closed Session to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.1-344 (A)(1) , Code of Virginia (1950), as amended.

A communication from the City Manager requesting a Closed Meeting to discuss disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.1-344(A)(3), Code of Virginia (1950), as amended.

**THE MEETING OF ROANOKE CITY COUNCIL WILL BE
DECLARED IN RECESS TO BE RECONVENED IMMEDIATELY IN
THE EMERGENCY OPERATIONS CENTER CONFERENCE
ROOM, ROOM 159.**

***JOINT MEETING
CITY COUNCIL/CONGRESSMAN GOODLATTE***

Call to Order: Mayor Smith.

Welcome: Mayor Smith.

Invocation: Council Member Harris.

Lunch

Remarks by Congressman Goodlatte:

Remarks by Council Members:

Update on Passenger Rail Service/Improvements to air and transit service. Mr. Bestpitch.

Discussion Items:

Brownfields. Ms. Burcham.

Deferred Compensation Changes. Ms. Burcham and Mr. Grisso.

Other Business:

THE MEETING OF ROANOKE CITY COUNCIL WILL BE IN RECESS UNTIL 2:00 P.M., IN THE CITY COUNCIL CHAMBER, FOURTH FLOOR, NOEL C. TAYLOR MUNICIPAL BUILDING.



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***SEPTEMBER 4, 2001
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

1. Call to Order--Roll Call.

The Invocation will be delivered by The Reverend Richard Geoghegan, Pastor, Cave Springs United Methodist Church.

The Pledge of Allegiance to the Flag of the United States of America will be led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTv Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, September 6, 2001, at 7:00 p.m., and Saturday, September 8, 2001, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE CITY COUNCIL AGENDA PACKAGE ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS THE AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT www.roanokegov.com, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541 TO OBTAIN AN APPLICATION.

PRESENTATIONS:

Proclamation declaring September 6 - 8, 2001, as "United Way - Days of Caring".

Proclamation declaring Thursday, September 20, 2001, as Southwest Virginia "Light The Night" Day; and the month of September 2001 as Leukemia & Lymphoma Awareness Month.

2. CONSENT AGENDA

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 Minutes of the regular meeting of the Roanoke City Council held on Monday, August 20, 2001.

RECOMMENDED ACTION: Dispense with the reading thereof and approve as recorded.

- C-2 A communication from the Honorable Donald S. Caldwell, Commonwealth's Attorney, tendering his resignation as a member of the Roanoke Valley-Allegheny Regional Commission.

RECOMMENDED ACTION: Receive and file the communication and accept the resignation.

- C-3 A communication from the City Manager recommending that a public hearing be advertised for Monday, September 17, 2001, at 7:00 p.m., in connection with granting an easement across City-owned property to CoxCom, Inc., d/b/a Cox Communications Roanoke (Cox Communications), for the purpose of constructing, owning, and operating a communications line.

RECOMMENDED ACTION: Concur in request.

- C-4 A communication from the City Manager recommending that a public hearing be advertised for Monday, September 17, 2001, at 7:00 p.m., in connection with the proposed vacation of a public easement on Churchill Drive, N. W.

RECOMMENDED ACTION: Concur in request.

- C-5 A communication from the City Clerk advising of the resignation of Thomas Pettigrew as a member of the Industrial Development Authority.

RECOMMENDED ACTION: Receive and file the communication and accept the resignation.

- C-6 Qualification of the following persons:

Brian M. Shepard as a member of the Roanoke Valley Greenways Commission for a term ending June 30, 2004.

Barry W. Baird as a member of the Roanoke Valley Greenways Commission for a term ending June 30, 2002.

Herbert D. McBride as a member of the Roanoke Public Library Board for a term ending June 30, 2004.

RECOMMENDED ACTION: Receive and file.

REGULAR AGENDA

3. HEARING OF CITIZENS UPON PUBLIC MATTERS: NONE.

4. PETITIONS AND COMMUNICATIONS:

- a. A communication from Council Member William D. Bestpitch, City of Roanoke Representative to Virginia's First Regional Industrial Facility Authority, recommending approval of an Agreement for Project Based Financing by Virginia's First Regional Industrial Facility Authority and amendment to the New River Valley Commerce Park Project Participation Agreement.

5. REPORTS OF OFFICERS:

a. CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

1. A communication recommending acceptance of a bid submitted by Hager Electric, LLC, for ballfield lighting replacement at Huff Lane Park - Fields 1 and 2, Strauss Park, Westside Ballfield - Field 1, Garden City Park, Norwich Park, Jackson Park and Preston Park, in the amount of \$436,281.48; and rejecting all other bids received by the City.
2. A communication recommending transfer and appropriation of funds to the Department of Housing and Neighborhood Services for code enhancements.
3. A communication recommending acceptance of a Local Government Challenge Grant from the Virginia Commission for the Arts, in the amount of \$5,000.00; and appropriation of funds in connection therewith.
4. A communication recommending acceptance of the bid submitted by Consolidated Industrial Roofing, Inc., in connection with the re-roofing of the Public Works Service Center, in the amount of \$83,750.00; and transfer of funds in connection therewith.
5. A communication recommending acceptance of the bid submitted by Merle Callinder, t/a Callinder's General Construction, in connection with the Trevino Drive Storm Drainage Project, in the amount of \$167,901.80, and transfer of funds in connection therewith.
6. A communication recommending de-appropriation of \$25,140.00 in connection with the Roanoke Centre for Industry and Technology VDOT Industrial Access Funds.

7. A communication recommending execution of a contract with Rosser International, Inc., to provide engineering services for design and development of construction documents and related work for Phase I of the Civic Center Expansion and Renovation Project, in the amount of \$262,500.00; and appropriation of funds in connection therewith.
8. A communication recommending adoption of a resolution in support of efforts of the Read Mountain Alliance to preserve Read Mountain.
9. A communication recommending appropriation and transfer of funds in connection with the Capital Maintenance and Equipment Replacement Program.
10. A communication recommending appropriation of funds to support strategic technology needs and enhancements.
11. A communication in connection with establishing parking rates for the Gainsboro Parking Garage and Gainsboro Surface parking area.
12. A communication in connection with roof replacement at Eureka Recreation Center; and transfer of funds in connection therewith.
13. A communication in connection with a Fire and Emergency Medical Services Agreement to cooperatively and jointly co-staff the Roanoke County Clearbrook Station.

b. DIRECTOR OF FINANCE:

1. A financial report for the month of July, 2001.

6. REPORTS OF COMMITTEES: NONE.

7. UNFINISHED BUSINESS: NONE.

8. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

- a. Ordinance No. 35534, on second reading, authorizing an agreement with the City of Salem to provide mutual automatic aid for fire protection services within designated areas; and authorizing notice of termination of the lease for the fire station located at 4810 Salem Turnpike, N. W.
- b. A Resolution designating a Voting Delegate and Alternate Voting Delegate for the Annual Business Session and meetings of the Urban Section of the Virginia Municipal League and designating a Staff Assistant for any meetings of the Urban Section on Tuesday, October 16, 2001, in Virginia Beach, Virginia.
- c. A Resolution designating a Voting Delegate and Alternate Voting Delegate for the Annual Business Meeting of the National League of Cities on December 8, 2001, in Atlanta, Georgia.

9. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.
- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

10. OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. IT IS A TIME FOR CITIZENS TO SPEAK AND A TIME FOR COUNCIL TO LISTEN. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

CERTIFICATION OF CLOSED SESSION.

REGULAR WEEKLY SESSION-----ROANOKE CITY COUNCIL

August 20, 2001

2:00 p.m.

The Council of the City of Roanoke met in regular session on Monday, August 20, 2001, at 2:00 p.m., the regular meeting hour, in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended.

PRESENT: Council Members Linda F. Wyatt, William D. Bestpitch, William H. Carder, C. Nelson Harris, W. Alvin Hudson, Jr., William White, Sr. and Mayor Ralph K. Smith-----7.

ABSENT: None-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; James D. Grisso, Director of Finance; and Mary F. Parker, City Clerk.

The meeting was opened with a prayer by The Reverend Kevin Smith, Pastor, Washington Heights Grace Brethren Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

PRESENTATIONS:

PARKS AND RECREATION-ACTS OF ACKNOWLEDGEMENT: Mr. Bestpitch offered the following resolution:

(#35514-082001) A RESOLUTION paying tribute to Carl H. Kopitzke, upon his relinquishment of the Chair of the Mill Mountain Advisory Committee, and expressing to him the appreciation of this City and its people for his exemplary public service.

(For full text of Resolution, see Resolution Book No. 64.)

Mr. Bestpitch moved the adoption of Resolution No. 35514-082001. The motion

was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Wyatt, Bestpitch, Carder, Harris, Hudson, White, and Mayor Smith-----7.

NAYS: None-----0.

The Mayor presented Mr. Kopitzke with a ceremonial copy of the above referenced measure and a “Star” paperweight.

PROCLAMATIONS: The Mayor presented a proclamation declaring the month of September, 2001, as Native American Month in the City of Roanoke.

AUDITS/FINANCIAL REPORTS-ACTS OF ACKNOWLEDGMENT: The Mayor advised that the City of Roanoke has received awards for its comprehensive annual financial report and pension plan which were awarded by the Government Finance Officers Association of the United States and Canada. He stated that the awards represent the highest form of recognition in the area of governmental accounting and financial reporting and their attainment represents a significant accomplishment by a government and its management. He further stated that the awards have been received by the City’s Finance Department for the past 27 consecutive years. He presented certificates and plaques to the Director of Finance and commended the Finance Department for its outstanding accomplishments.

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, that item would be removed from the Consent Agenda and considered separately.

MINUTES: Minutes of the regular meetings of Council held on Monday, July 16, 2001, the work session held on Monday, July 30, 2001, and the regular meeting held on Monday, August 6, 2001, were before the body.

(For full text, see Minutes on file in the City Clerk’s Office.)

Mr. Carder moved that the reading of the minutes be dispensed with and that the minutes be approved as recorded. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Wyatt, Bestpitch, Carder, Harris, Hudson, White,

and Mayor Smith-----7.

NAYS: None-----0.

ANNUAL REPORTS-MUNICIPAL AUDITOR: An annual report of the Municipal Auditor for the year ended June 30, 2001, was before Council.

It was advised that the goal of Municipal Auditing is to provide Council and the City administration with analyses, appraisals, recommendations, counsel, and information concerning financial related activities of the City; the office performs its audit work in accordance with generally accepted government auditing standards promulgated by the Comptroller General of the United States; during the year ended June 30, 2001, audit coverage was provided of the City's financial activities by monitoring external audit activities; evaluating systems of internal controls to determine whether they are designed to meet management's needs and are functioning as planned, and substantive testing to determine whether procedures produced reasonable results or additional work was necessary; recommendations were made to correct any deficiencies encountered in internal controls and technical assistance was provided to implement recommendations; and each audit was reported in writing to the City Council's Audit Committee.

It was further advised that significant audit activity completed during fiscal year 2001 includes: Financial Audits, Financial Related Audits, Technical Assistance, and internal auditing services to the School Board.

(For full text, see report on file in the City Clerk's Office.)

Mr. Carder moved that the report be received and filed. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Wyatt, Bestpitch, Carder, Harris, Hudson, White, and Mayor Smith-----7.

NAYS: None-----0.

AUDITS/FINANCIAL REPORTS-ANNUAL REPORTS-AUDIT COMMITTEE: An annual report of the Audit Committee for the fiscal year ended June 30, 2001, was before Council.

It was advised that the Audit Committee accomplished the following tasks:

Reviewed and concurred with the annual plan presented by KPMG Peat

Marwick;

Reviewed and concurred with the Municipal Auditor's annual audit plan;

Reviewed the independent accountant's report with representatives from KPMG Peat Marwick and City officials;

Reviewed the internal audit reports with the Municipal Auditor and City officials;

Reviewed an external quality control review prepared by the Virginia Local Government Auditors Association peer review team; and

Furnished a copy of the minutes of each committee meeting to City Council and City officials.

(For full text, see report on file in the City Clerk's Office.)

Mr. Carder moved that the report be received and filed. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Wyatt, Bestpitch, Carder, Harris, Hudson, White, and Mayor Smith-----7.

NAYS: None-----0.

CITY CLERK-HUMAN DEVELOPMENT-PERSONNEL DEPARTMENT-HUMAN DEVELOPMENT COMMITTEE-OATHS OF OFFICE-COMMITTEES: The following reports of qualification were before Council:

Sheila N. Hartman as Assistant Deputy City Clerk, effective August 7, 2001;

Gail Burruss as a member of the Advisory Board of Human Development for a term ending November 30, 2004;

William C. Holland as a member of the Personnel and Employment Practices Commission for a term ending June 30, 2004; and

Evelyn F. Board as a member of the Human Services Committee for a term ending June 30, 2002.

(See Oaths or Affirmations of Office on file in the City Clerk's Office.)

Mr. Carder moved that the reports of qualification be received and filed. The

motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Wyatt, Bestpitch, Carder, Harris, Hudson, White, and Mayor Smith-----7.

NAYS: None-----0.

REGULAR AGENDA

HEARING OF CITIZENS UPON PUBLIC MATTERS:

ROANOKE ARTS COMMISSION: Mark C. McConnell, Chair, Roanoke Arts Commission, and Chair of the Per Cent for Arts Committee, addressed Council in regard to the Per Cent for Arts Program and Municipal Art in the City of Roanoke.

Mr. McConnell advised that academic research supports the value of art, and recent studies have found that students who have experienced art in the home score 30 per cent higher on academic skill tests than those students who have not had involvement in the arts. He stated that another study found that students who studied art scored 45 per cent higher on verbal skills and 32 per cent higher on math skills on their SAT's; and arts and cultural attractions not only enhance quality of life, but have a tremendous economic impact on the community by attracting tourists and businesses that generate revenue for the City. He added that the arts contributed \$849 million to the Commonwealth of Virginia, \$342 million additional dollars to Virginia tourism businesses; \$324,000.00 in admission and payroll taxes were paid to the City of Roanoke by arts organizations in 1999; and a Virginia Tech study indicated that in 1999, the net total direct output of the arts in Roanoke was \$15 million, with an extended effect of \$24.2 million.

He further advised that Roanoke has two mechanisms for promoting the arts and its economic development benefits; i.e.: the Per Cent for Arts Program -- in 1996, the City of Roanoke joined over 300 cities and approximately six states in establishing legislation that provided a funding mechanism for public art in association with certain capital improvements, for example, the Per Cent for Art Committee reviews upcoming capital improvement projects and submits a recommendation to the City Manager as to which of the projects should receive an additional one per cent of capital expenditure for arts, the City Manager reviews the recommendation and submits a recommendation to Council, and art acquired in association with capital projects is solicited and procured through the Roanoke Arts Commission, with input from participants in the Capital Improvements Program. He explained that over the past five years, since inception of the program, no projects have been recommended for inclusion in Per Cent for Art funding; however, there is a functioning Per Cent for Art Committee that has been adequately staffed by the City Manager and a recommendation will be submitted to the City Manager within one

month.

Secondly, Mr. McConnell advised that in 1979, the City participated in a program of purchasing one work of art each year from the Roanoke City Art Show; whereupon, he presented slides depicting art work of local artists in the Roanoke area which were purchased as a part of the program. He stated that the City's revitalization efforts that embraced public art in 1979 have been successful with beautiful pieces of art that are displayed throughout the City; however, the spirit for continuing these efforts must be renewed because for approximately a decade and one-half the City has not purchased any art on its own, therefore, young and emerging artists are not represented in the City's art collection. He advised that on behalf of the Roanoke Arts Commission, it is recommended that the City re-institute its practice of purchasing art from the Roanoke City Art Show in order to support local artists, economic development, quality of life and City residents and visitors and to provide a record of artistic achievements in the Roanoke Valley.

Mr. Harris inquired as to the status of a catalogue identifying all publicly owned art acquired by the City of Roanoke; whereupon, Mr. McConnell advised that two members of the Roanoke Arts Commission are working on a project to catalogue pieces of art which will be digitally photographed, thereby enabling photographs to be posted on a web-site to provide greater access to citizens.

Without objection by Council, the Mayor advised that the remarks of Mr. McConnell would be referred to the City Manager for response.

VIRGINIA AMATEUR SPORTS/Commonwealth Games: Peter Lampman, President, Virginia Amateur Sports, Inc., advised that for the year 2001, over 10,000 athletes participated in the Virginia Commonwealth Games and over the past 12 years, 100,000 athletes have competed in events in the Roanoke Valley. He stated that approximately 9,000 athletes, over a three day period, provided an economic impact of over \$1.8 million, with approximately \$9 million in indirect spending based on a figure of \$112.00 per day per person for sporting events in the Roanoke Valley as provided by the Roanoke Valley Convention and Visitors Bureau. He added that there was an \$8.3 million overall economic impact on the Roanoke Valley as a result of the 2001 Commonwealth Games of Virginia.

He expressed appreciation to the City of Roanoke for its assistance and presented the Mayor with a plaque containing the following inscription:

**City of Roanoke, 2001 Presenting Sponsor,
Commonwealth Games of Virginia**

(See summary of activities on file in the City Clerk's Office.)

READ MOUNTAIN PRESERVATION-ENVIRONMENTAL POLICY-GREENWAY SYSTEM-WESTERN VIRGINIA LAND TRUST: William N. Gordge, Member, Citizens Alliance for the Preservation of Read Mountain, requested a resolution of support from the City of Roanoke for preservation of Read Mountain. He advised that Read Mountain is one of the few remaining pristine undeveloped mountains in the Roanoke Valley; land on the north is privately owned and subject to development similar to that which has happened to many of the other mountains in the Roanoke Valley; and owners of most of the upper slopes have expressed a willingness to sell their land, or they have an interest in preserving the steep slopes and ridges of the mountain. He explained that the Read Mountain Alliance has launched a grass roots effort to preserve the mountain in its present undeveloped state; however, this effort will require substantial citizen and agency involvement; and called attention to support and assistance which has already been received from Roanoke County, Botetourt County, the City of Roanoke, the Roanoke Valley Greenways Commission and the Western Virginia Land Trust that will provide technical assistance in obtaining grants from public and private sources. He noted that the Citizens Alliance will seek sponsors from corporations, companies and individuals in a major fund raising and in-kind service campaign to provide for purchase of land and conservation easements in order to turn the mountain into a park area.

He explained that it is in the best interest of the City of Roanoke to preserve Read Mountain for the following reasons:

- (1) To help preserve the impressive natural beauty of the City's northern viewshed and also to help protect the view to the east for travelers entering the Roanoke Valley from the north.**
- (2) An intact upland forest is vital to the City's subdivisions and other properties in the shadow of the mountain for protection from storm water run off and flooding.**
- (3) Almost the entire City lies within five miles of the proposed preserve, offering citizens with easy access to future recreational benefits.**
- (4) The City's proposed Tinker Creek Greenway will pass nearby; studies show a side trail to Read Mountain is feasible, greatly enriching the**

greenway's recreational potential.

(5) Read Mountain's proximity to the City's new industrial park will be good for business and preserve the natural beauty of the area, while offering recreational opportunities close by to employees.

Mr. Gordge invited the Members of Council to a celebrity outing on Read Mountain on Saturday, October 22, 2001.

Barbara Lemon, President, Western Virginia Land Trust, read a resolution adopted by the Board of Trustees on August 1, 2001, advising that the Western Virginia Land Trust has a vital interest in preserving the higher elevations of Read Mountain, and offers to work in concert with property owners, citizens and the Read Mountain Alliance to achieve these goals, and agrees to assist the Read Mountain Alliance by providing technical and administrative support as necessary and appropriate.

(For full text, see resolution on file in the City Clerk's Office.)

Following discussion of the matter, the City Manager was requested to informally contact property owners in the Read Mountain area, as well as Administrators in Roanoke County and Botetourt County for input and review of the request; and the City Attorney was requested to prepare the proper measure of support for preservation of Read Mountain for consideration by Council at its regular meeting on Tuesday, September 4, 2001.

PETITIONS AND COMMUNICATIONS:

BUDGET-COMMONWEALTH'S ATTORNEY: Donald S. Caldwell, Commonwealth's Attorney, presented information on the Cost Collection Unit which is authorized pursuant to the Code of Virginia. He advised that there are three types of programs that Commonwealth Attorneys across the Commonwealth of Virginia may utilize to collect past due costs; i.e.: turn the costs over to the tax department, hire a private collector, or establish an in house program whereby the locality agrees to fund any loss that a program might incur; and in return, if the program is successful, funds are divided between the locality and the State. He summarized a report advising that during fiscal year 2000-01, approximately \$500,000.00 was collected in delinquent fines and costs that were due to the court system in Roanoke City; approximately 82 per cent are fines that were collected under the Code of Virginia and approximately 18 per cent were fines collected under local ordinance; and after expenses were subtracted, the remainder was divided 50- 50 between the State and the locality. He stated that in addition to fines and costs that are collected, the Commonwealth of Virginia paid the City of Roanoke \$57,000.00 for taking the risk to implement the Cost Collection Program. He advised that since its inception; the Cost Collection Program has been successful and has made money for both the Commonwealth of Virginia and the City of Roanoke.

(See summary on file in the City Clerk's Office.)

Without objection by Council, the Mayor advised that the remarks of

Mr. Caldwell would be received and filed.

BUDGET-COMMONWEALTH'S ATTORNEY-DRUGS/SUBSTANCE ABUSE: A communication from the Honorable Donald S. Caldwell, Commonwealth's Attorney, advising that Federal funding was made available to the State of Virginia to be used for the development of several Multi-Jurisdictional Special Drug Prosecutors statewide to coordinate prosecutorial efforts among independent jurisdictions, to reduce fractional and duplicate prosecutions, to enhance the recovery of criminal assets, to utilize federal, state and local resources to assure maximum prosecutorial effectiveness and to provide specialized prosecutorial resources to the regional drug enforcement effort, was before Council.

It was further advised that the Compensation Board approved funding for the Drug Prosecutor, in the amount of \$91,615.00 on April 29, 2001, and funding will continue through June 30, 2002; local share cost is \$20,730.00, for a total of \$112,345.00; local share funding of \$12,560.00 is budgeted in the General Fund - Transfer to Grant Fund Account No. 001-250-9310-9535, and \$8,170.00 is budgeted in the Contingency Account No. 001-300-9410-2199.

The Commonwealth's Attorney recommended that Council accept funds from the Compensation Board, in the amount of \$91,615.00, with the City of Roanoke providing local share funds in the amount of \$20,730.00; authorize the City Manager to execute the requisite documents to obtain funding from the Compensation Board; and authorize the Director of Finance to establish revenue estimates in the amount of \$112,345.00 in the Grant Fund and appropriate funds to certain expenditure accounts.

(For full text, see communication on file in the City Clerk's Office.)

The City Manager submitted a communication concurring in the recommendation of the Commonwealth's Attorney.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris offered the following emergency budget ordinance:

(#35515-082001) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 General and Grant Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. Harris moved the adoption of Ordinance No. 35515-082001. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Wyatt, Bestpitch, Carder, Harris, Hudson, White, and Mayor Smith-----7.

NAYS: None-----0.

Mr. Harris offered the following resolution:

(#35516-082001) A RESOLUTION authorizing the acceptance of funding for the regional drug prosecutor's office from the Compensation Board of the Commonwealth of Virginia and authorizing the acceptance, execution and filing of appropriate documents to obtain such funds.

(For full text of Resolution, see Resolution Book No. 64.)

Mr. Harris moved the adoption of Resolution No. 35516-082001. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Wyatt, Bestpitch, Carder, Harris, Hudson, White, and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-COMMONWEALTH'S ATTORNEY: A communication from the Honorable Donald S. Caldwell, Commonwealth's Attorney, advising that in an effort to better fund law enforcement efforts to fight crime, particularly drug crime, in 1986, the Federal government adopted a system of asset forfeiture whereby forfeited assets, under certain conditions, could be returned to local law enforcement agencies, police and prosecutors, for use in their fight against crime, was before Council.

It was further advised that in August, 1991, a grant fund account for cash assets forfeited to the Office of the Commonwealth's Attorney was established with an appropriation of \$25,000.00; since August, 1991, the Commonwealth's Attorney

has expended the \$25,000.00 originally appropriated, and periodically receives additional funds from the State's asset sharing program; grant requirements provide that funds be placed in an interest bearing account and that interest earned be used in accordance with program guidelines; revenues collected through June 30, 2001, for the grant are \$126,676.00, with \$12,476.00 having been collected through June 30, 2001; and funding received in excess of the revenue estimate totals \$62,789.00, and needs to be appropriated by Council.

The Commonwealth's Attorney recommended that Council authorize the Director of Finance to increase the revenue estimate in the amount of \$59,081.00, plus \$3,708.00 interest and appropriate funds to certain accounts as set forth in a proposed budget ordinance.

(For full text, see communication on file in the City Clerk's Office.)

The City Manager submitted a communication concurring in the recommendation of the Commonwealth's Attorney.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Hudson offered the following emergency budget ordinance:

(#35517-082001) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Grant Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. Hudson moved the adoption of Ordinance No. 35517-082001. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Wyatt, Bestpitch, Carder, Harris, Hudson, White, and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-GRANTS-SCHOOLS: A communication from the Roanoke City School Board requesting appropriation of the following funds, was before Council:

\$200,546.00 for the Reading Excellence Act grant for Virginia Heights Elementary School. The funds will provide for elementary reading instruction and intervention. A basic skills program which includes staff development and remedial skills instruction will be implemented. This new program is 100 percent reimbursed by Federal funds.

\$252,555.00 for the Reading Excellence Act grant for Westside Elementary School. The funds will provide for elementary reading instruction and intervention. A basic skills program which includes staff development and remedial skills instruction will be implemented. This new program is 100 percent reimbursed by Federal funds.

A report of the Director of Finance recommending that Council concur in the request of the School Board, was also before the body.

(For full text, see communication and report on file in the City Clerk's Office.)

Mr. Harris offered the following emergency budget ordinance:

(#35518-082001) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 School Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. Harris moved the adoption of Ordinance No. 35518-082001. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Wyatt abstained from voting inasmuch as she is an educator at Westside Elementary School.)

BONDS/BOND ISSUES-SCHOOLS: A communication from the Roanoke City School Board advising that as the result of official School Board action at its meeting on August 14, 2001, the School Board approved resolutions to participate in the 2001 Interest Rate Subsidy Program Bond Sale - VPSA School financing Bonds (1997 Resolution) Series 2001B; the proceeds of the bond issue will be used in lieu of the Literary Fund loans approved by the State for Fairview Elementary School and Fishburn Park Elementary School; and the School Board will pay the debt service on the VPSA Interest Rate Subsidy Bond Issues, was before Council.

The School Board requested that Council adopt resolutions indicating that Roanoke City desires to participate in the VPSA bond issue; and if the applications are approved by the VPSA Board, Council will be requested to conduct public hearings and to perform any other procedural matters that may be required for participation in the bond issue.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Carder offered the following resolution:

(#35519-082001) A RESOLUTION authorizing and directing the City Manager to file an application with the Virginia Public School Authority seeking bond financing in an amount not to exceed \$2,750,000.00 to finance certain capital improvements in connection with Fairview Elementary School, previously approved pursuant to Resolution No. 35094-101600 and 35095-101600, adopted by the Council at its October 16, 2000, meeting.

(For full text of Resolution, see Resolution Book No. 64.)

Mr. Carder moved the adoption of Resolution No. 35519-082001. The motion was seconded by Mr. Hudson.

Mr. Martin Jeffrey, 3912 Hyde Park Drive, S. W., representing a non-profit consulting ministry, the primary focus being the citizens of the City of Roanoke, expressed general concerns as a business owner in the City of Roanoke. He commended Council Member Hudson on his "bull doggedness" as an individual who is interested in seeing democracy at its finest. He stated that truth and accountability are needed in view of the millions of dollars that have been spent and allocated to numerous City projects during the past year; and the \$31 million bond issue is unprecedented in the City of Roanoke, because that amount of bonds has not previously been authorized without citizen input, and it is an outrage that the bonds can be issued without holding a referendum. He stated that when he requested more specific information on how the \$31 million would be spent, no detail was available to him as a citizen of Roanoke. He advised that he was raising the issue under this specific agenda item because there are so many ongoing projects in Roanoke City that it is difficult for the average taxpayer to keep up with what the City is doing. He stated that there is not enough accountability in City government and there are a number of issues on today's agenda that underscore his position. He requested specific detail on the \$31 million bond issue, with a summary of how the funds will be divided among the various projects listed.

Resolution No. 35519-082001 was adopted by the following vote:

AYES: Council Members Wyatt, Bestpitch, Carder, Harris, Hudson, White, and Mayor Smith-----7.

NAYS: None-----0.

Mr. Harris offered the following resolution:

(#35520-082001) A RESOLUTION authorizing and directing the City Manager to file an application with the Virginia Public School Authority seeking bond financing in an amount not to exceed \$2,500,000.00 to finance certain capital improvements in connection with Fishburn Park Elementary School, previously approved pursuant to Resolution Nos. 34804-051500 and 34805-051500, adopted by the Council at its May 15, 2000, meeting.

(For full text of Resolution, see Resolution Book No. 64.)

Mr. Harris moved the adoption of Resolution No. 35520-082001. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Wyatt, Bestpitch, Carder, Harris, Hudson, White, and Mayor Smith-----7.

NAYS: None-----0.

NEWSPAPERS: A communication from David A. Bowers, Attorney, advising that he and John H. Kennett, Jr., Attorney, represent Roger Roberts of Diamond Point, Inc., owner of real estate located at 121 West Campbell Avenue in downtown Roanoke, who is aggrieved by the proposed expansion of The Roanoke Times manufacturing plant which is proposed for development behind his luxury apartments/townhouse, was before Council.

It was further advised that it has been reported that the City of Roanoke has arranged special economic development funding for the expansion; Mr. Roberts would like to receive more information regarding the arrangements; whereupon, it was requested that the information be provided so that Mr. Bowers might appear before the Council, if necessary, at its next meeting on Tuesday, September 4, 2001.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Martin Jeffrey, 3912 Hyde Park Drive, S. W., representing a non-profit consulting ministry, the primary focus being the citizens of the City of Roanoke, advised that citizen concerns are being discarded in favor of business interests, The Roanoke Times has given up objectivity for its own business interests and expansion, and it is likely that certain support and incentives have been requested of the City. With the stated concerns of taxpayers regarding changes to the refuse collection program, the fire station proposal and a number of other recent projects, he advised that his concern relates to the lack of accountability in the City processes to the taxpayer, with a City administration and City boards and commissions that are overloaded with business interests to the detriment of the interest of taxpayers in general. He stated that The Roanoke Times should not allow, nor should it seek favors from City government, especially for a project that potentially compromises the rights of citizens and other businesses. He added that The Roanoke Times objectivity in its reporting of City government and its associated entities such as the school system, or the Parks and Recreation Department and others has been increasingly “watered down” in recent years and very government friendly. He stated that the newspaper clearly has other options in terms of construction sites and should explore those options in the name of credibility and in the name of an effort to regain its objectivity and to minimize a growing perception by citizens that it is “cozy” with City government. He advised that major accountability is needed in City government and its administration.

Following discussion, the Mayor advised that without objection by Council, the communication from Mr. Bowers would be referred to the City Attorney for response.

The City Attorney pointed out that Mr. Bowers was requesting that the matter be placed on the September 4 Council agenda for discussion; whereupon, it was the consensus of Council that it would be appropriate for the City Attorney to respond to Mr. Bowers communication, in writing, and if Mr. Bowers wishes to appear before Council at a future City Council meeting, he may do so.

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS: None.

ITEMS RECOMMENDED FOR ACTION:

GRANTS-HOUSING/AUTHORITY: The City Manager submitted a communication advising that historically, the Roanoke Redevelopment and Housing Authority has administered a variety of HOME-funded housing programs for the City; on May 7, 2001, Council authorized the Housing Authority's 2001-2002 HOME activities and funding pursuant to Resolution No. 35319-050701, which approved submission of the City's 2001-2002 Consolidated Plan Annual Update to the U. S. Department of Housing and Urban Development; Council accepted 2001-2002 HOME funds on June 18, 2001, pursuant to Budget Ordinance No. 35404-061801 and Resolution No. 35405-061801, contingent upon receipt of HUD's approval letter; in order for the Housing Authority to provide eligible City homeowners and home buyers with housing activities approved in the Consolidated Plan, authorization by Council to execute an agreement with the Housing Authority is needed; and a total of \$1,063,756.00 is being provided to the Housing Authority, of which \$521,500.00 is to complete projects which were in progress on June 30, 2001.

The City Manager recommended that she be authorized to execute the 2001-2002 HOME Agreement with the Roanoke Redevelopment and Housing Authority.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris offered the following resolution:

(#35521-082001) A RESOLUTION authorizing the appropriate City officials to enter into the 2001-2002 HOME Investment Partnerships (HOME) Program Agreement with the Roanoke Redevelopment and Housing Authority, upon certain terms and conditions.

(For full text of Resolution, see Resolution Book No. 64.)

Mr. Harris moved the adoption of Resolution No. 35521-082001. The motion was seconded by Mr. Carder.

Mr. Martin Jeffrey, 3912 Hyde Park Drive, S. W., representing a non-profit consulting ministry, the primary focus being the citizens of the City of Roanoke, advised that HOME funds are part of a collection of funds that includes Community Development Block Grant funds. He called attention to the City Manager's proposal to relocate Social Service offices to the former Sears building on Williamson Road, necessitating building renovations; and the City Manager's statement with regard to

moving offices of the Roanoke Redevelopment and Housing Authority into the space to be vacated by Social Services in Municipal South. He expressed concern with regard to housing the Roanoke Redevelopment and Housing Authority offices under the same roof with City offices and the expenditure of funds for renovation costs. In addition, he called attention to expenditures relating to GOB South apartments, the bio-med park on South Jefferson Street, Lincoln 2000, the former Zimmerman property on Salem Avenue, the Art Museum and IMAX Theatre, the parking garage on Henry Street, the Roanoke Higher Education Center, First Street Bridge, Explore Park, the new police building, the Market Street Bridge, the new stadium/amphitheater, and proposed Fire Department improvements, all of which add up to over \$100 million worth of development to be spent, has been spent, or scheduled to be spent by Council and the City administration, all within approximately the past ten years, which represents a considerable sum of money with little accountability to taxpayers. He inquired if each of these projects will receive individual audits as a part of the process so as to provide accountability of taxpayer dollars. He stated that several of the abovereferenced projects are joint projects with the Roanoke Redevelopment Housing Authority, featuring HUD and Section 108 loans, with Community Development Block Grant funds used as security collateral for the notes. He advised that the amount of CDBG funds received by a locality are, in part, based on the amount of deterioration and poverty of the community.

Resolution No. 35521-082001 was adopted by the following vote:

AYES: Council Members Wyatt, Bestpitch, Carder, Harris, Hudson, White, and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-SEWERS AND STORM DRAINS-EROSION/SEDIMENT CONTROL-EQUIPMENT: The City Manager submitted a communication advising that the City of Roanoke completed construction of the Roanoke River Interceptor Sewer Replacement Project in July 2000; the project replaced the old sewer that was installed in approximately 1950; it was necessary to keep the old sewer in service while the new sewer was being built; once completed, sewer flows were transferred to the new sewer; the proposed contract will provide for inspection of the old sewer by remote television cameras, cleaning of the sewer, and identification and location of unknown active sewer service connections; and information provided by the inspection will allow staff to systematically transfer any unknown service connections to the new sewer and evaluate the feasibility of rehabilitating the old sewer to provide additional future capacity.

It was further advised that the project was properly advertised, with the lowest bid having been submitted by Heitkamp, Inc., and its Division TRB Specialty Rehabilitation, in the amount of \$576,745.00 with 90 days of contract time; it is recommended that funding in the total amount of \$635,000.00 be transferred to a new account; and additional funding in excess of the contract amount will be used for miscellaneous project expenses, including advertising, printing, testing services, minor variations in bid quantities and unforeseen project expenses.

The City Manager recommended that Council accept the bid of Heitkamp, Inc., and its Division TRB Specialty Rehabilitation, in the amount of \$576,745.00, with 90 days of contract time for the proposed work; and transfer \$435,743.00 from Account No. 003-056-8485 and \$199,257.00 from Account No. 003-056-8484, for a total amount of \$635,000.00, to a new account entitled Roanoke Interceptor TV Inspection.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris offered the following emergency budget ordinance:

(#35522-082001) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Sewage Treatment Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. Harris moved the adoption of Ordinance No. 35522-082001. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Wyatt, Bestpitch, Carder, Harris, Hudson, White, and Mayor Smith-----7.

NAYS: None-----0.

Mr. Harris offered the following emergency ordinance:

(#35523-082001) AN ORDINANCE accepting the bid of Heitkamp, Inc., and its Division TRB Specialty Rehabilitation, to provide for the inspection of the old sewer by remote television cameras, cleaning of the sewer, and the identification and location of unknown active sewer service connections to the Roanoke River Interceptor Sewer, upon certain terms and conditions and awarding a contract therefor; authorizing the proper City officials to execute the requisite contract for such work; rejecting all other bids made to the City for the work; and providing for

an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. Harris moved the adoption of Ordinance No. 35523-082001. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Wyatt, Bestpitch, Carder, Harris, Hudson, White, and Mayor Smith-----7.

NAYS: None-----0.

REGIONAL CHAMBER OF COMMERCE-COMMUNITY PLANNING-GRANTS:
The City Manager submitted a communication advising that since 1998, the Chamber of Commerce has conducted a "Community Business Development Initiative" program designed to promote business development in the central City; on May 7, 2001, Council authorized the Chamber's 2001-02 CDBG activities and funding, pursuant to Resolution No. 35319-050701, which approved submission of the City's 2001-02 Consolidated Plan Annual Update to the U. S. Department of Housing and Urban Development; Council accepted 2001-02 CDBG funds on June 18, 2001, pursuant to budget Ordinance No. 35406-070201 and Resolution No. 35407-061801, contingent upon receipt of an approval letter from HUD; in order for the Chamber of Commerce to provide business development activities approved in the Consolidated Plan, authorization by Council to execute an agreement with the Chamber of Commerce is needed; and a total of \$125,000.00 in CDBG funds will be provided to the Chamber of Commerce for the period of July 1, 2001 to June 30, 2002.

The City Manager recommended that she be authorized to execute the 2001-02 CDBG Agreement with the Chamber of Commerce.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Carder offered the following resolution:

(#35524-082001) A RESOLUTION authorizing the execution of an agreement with the Roanoke Regional Chamber of Commerce for administration of Community Development Block Grant (CDBG) funds for FY 2001-2002 for services related to the promotion and development in the central area of the City.

(For full text of Resolution, see Resolution Book No. 64.)

Mr. Carder moved the adoption of Resolution No. 35524-082001. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Wyatt, Bestpitch, Carder, Harris, Hudson, White, and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-GRANTS-JUVENILE CORRECTIONAL FACILITIES: The City Manager submitted a communication advising that the Department of Criminal Justice Services notified Roanoke City and Roanoke County in March, 2001 of an allocation of funds under the Juvenile Accountability Incentive Block Grant Program (JAIBG); allocation of \$44,795.00 in Federal funds was awarded jointly to the two jurisdictions, with a local match of \$4,978.00.00 required; the allocation formula provides \$32,522.00 Federal, with a \$3,614.00 match for Roanoke City and \$12,273.00 Federal, with a \$1,364.00 match for Roanoke County; staff from both jurisdictions have met and developed program proposals for use of funding; Roanoke County will provide a substance abuse intervention education program through the schools; Roanoke City, in collaboration with the Boys & Girls Clubs, will provide services to students suspended or otherwise absent from school during the day; funding for the City's match of \$3,614.00 is included in Account No. 001-630-5330-2010, State/Local Hospitalization; and Roanoke City will serve as fiscal agent for the funds.

The City Manager recommended that she, or her designee, be authorized to accept the grant allocation of \$32,522.00 (Roanoke City) and \$12,273.00 (Roanoke County), for a total amount of \$44,795.00; execution of an agreement with the Department of Criminal Justice Services for said funds, and appropriation of \$3,614.00 from Account No. 001-630-5330-2010, State/Local Hospitalization, to an account for JAIBG allocation to be established by the Director of Finance; and authorize the Director of Finance to establish appropriation amounts and revenue estimates for said grant.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris offered the following emergency budget ordinance:

(#35525-082001) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 General and Grant Funds Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. Harris moved the adoption of Ordinance No. 35525-082001. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Wyatt, Bestpitch, Carder, Harris, Hudson, White, and Mayor Smith-----7.

NAYS: None-----0.

Mr. Harris offered the following resolution:

(#35526-082001) A RESOLUTION authorizing the acceptance of funding from the Department of Criminal Justice Services under its Juvenile Accountability Block Grant Incentive Program, upon certain terms and conditions.

(For full text of Resolution, see Resolution Book No. 64.)

Mr. Harris moved the adoption of Resolution No. 35526-082001. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Wyatt, Bestpitch, Carder, Harris, Hudson, White, and Mayor Smith-----7.

NAYS: None-----0.

PARKS AND RECREATION-FEE COMPENDIUM: The City Manager submitted a communication advising that Parks and Recreation staff have reviewed current fees charged for park shelters, recreation centers, athletic fields, etc., and made recommendations for certain changes; many of the fees have not been changed since 1990, however, proposed fee increases have been kept to a minimum to cause the least possible impact on citizens; in most cases, increases are less than the rate of inflation; basic services remain free to Roanoke's citizens; fee changes involve the cost of providing services or facilities as requested by a citizen over and above basic citizen use; and offering such services involves provision of additional resources such as staff, more hours of heating or cooling facilities, and/or special preparatory cleanings and maintenance.

It was further advised that the proposed increases are compatible to similar facilities in surrounding jurisdictions and reflect the rising costs of providing services, especially in such areas as utilities, custodial and staffing costs; in some cases, refundable damage deposits have been recommended, which are requested in situations where experience has taught the Department that they are necessary; additional funding derived from fee increases will be used to improve services at Parks and Recreation facilities; as a result of Council's work session on August 6, changes have been made to recommended fees and Parks and Recreation staff has met with the Superintendent of Schools to discuss fees and special consideration has been given to Roanoke City Public Schools, as well as Neighborhood Partnership organizations, in developing the recommended fee structure.

The City Manager recommended that Council adopt certain fee changes, effective September 1, 2001, thereby providing staff of the Parks and Recreation Department with sufficient time to notify customers of fee changes.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Carder offered the following resolution:

(#35527-082001) A RESOLUTION amending the City's Fee Compendium to provide for revised fees for use of City park facilities and services in order to update current fees and promote uniformity with fees charged by the City and surrounding localities; and providing an effective date.

(For full text of Resolution, see Resolution Book No. 64.)

Mr. Carder moved the adoption of Resolution No. 35527-082001. The motion was seconded by Mr. Harris.

Prior to hearing from Mr. Martin Jeffrey who had signed up to address the item, Mr. Bestpitch raised a point of order. He advised that it was his understanding that the reason Council provides an opportunity for citizens to speak on matters before Council is to receive citizen input on whether Council should vote for or against the motion that is currently on the table. He requested that Mr. Jeffrey's comments be germane to the motion on the floor and provide Council with an indication of his sense of whether Council should vote for or against the motion, and if there are other general comments or concerns that citizens would like to address, they are given that opportunity under the Other Hearings of Citizens section of the Council agenda.

Mr. Martin Jeffrey, 3912 Hyde Park Drive, S. W. advised that he made specific reference to the issue on each previous agenda item to which he spoke, and if the procedure for addressing Council as a body has changed, it should be placed in writing as a policy of Council and not as an individual Council Member lashing out at a taxpayer.

He stated that Council should vote against the item because, in effect, it taxes citizens two times for a service and the proposed increases are unreasonable and provide for more than a 200 per cent increase on some fees. He added that the citizens of Roanoke pay taxes for the maintenance of City parks, and if the Parks and Recreation Department needs more funds to operate, the City should look to the undesignated fund balance to provide more money for Parks and Recreation operations. He stated that more accountability is needed in City government and its processes.

Mr. Hudson expressed concern that because of increased fees, City residents might be forced to use the park facilities of surrounding localities. He inquired as to comparative figures of surrounding jurisdictions for use of parks and recreation facilities.

The following vote was recorded on the resolution:

AYES: Council Members Bestpitch, Carder, Harris, White and Mayor Smith----5.

NAYS: Council Member Hudson-----1.

(Council Member Wyatt abstained from voting because she had not received responses to her questions which were raised at the August 6, 2001, Council meeting.)

During the roll call on the resolution, Mr. Hudson originally voted yes; however, before the roll call was completed, he requested, and the Council concurred in his request to change his yes vote to a no vote; whereupon, the suggestion was made that the matter should be tabled until all questions of Council have been addressed by the City Manager.

Having voted with the majority for adoption of the abovereferenced resolution, Mr. Harris moved for a reconsideration of the matter. The motion was seconded by Mr. Carder and unanimously adopted.

There was discussion with regard to whether comparable fees are charged by surrounding Roanoke Valley localities, in which the City Manager explained that the proposed fees are for exclusive use of facilities by individuals and groups; and an attachment to the report provides special exceptions for neighborhood groups, civic organizations and teacher sponsored events. She stated that no communication was sent to Council setting forth a comparison of charges by other jurisdictions in the Roanoke Valley; however, if that is the request of Council, she would provide the information, and it is believed that the City's rates are comparable to other Roanoke Valley jurisdictions.

Following discussion of the matter, it was the consensus of Council that the City Manager would provide a detailed analysis of charges administered by other Roanoke Valley jurisdictions for use of park facilities.

Mr. Bestpitch offered the following resolution:

(#35527-082001) A RESOLUTION amending the City's Fee Compendium to provide for revised fees for use of City park facilities and services in order to update current fees and promote uniformity with fees charged by the City and surrounding localities; and providing an effective date.

(For full text of Resolution, see Resolution Book No. 64.)

Mr. Bestpitch moved the adoption of Resolution No. 35527-082001. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Wyatt, Bestpitch, Carder, Harris, Hudson, White and

Mayor Smith-----7.

NAYS: None-----0.

PARKS AND RECREATION-EQUIPMENT: The City Manager submitted a communication advising that the Capital Maintenance and Equipment Replacement Program (CMERP) for the prior year identified the need to replace one hydraulic crane for Parks and Recreation and a cab and chassis; the lowest bid meeting specifications for the cab and chassis was submitted by Magic City Motor Corporation, in the amount of \$43,888.00; the lowest bid for the hydraulic crane was submitted by Power Line Rent Equipment, Inc., however, the bidder took exceptions to the required boom length, jib, basket capacity and outrigger specifications; these exceptions are considered to be substantial and cannot be waived as informalities, thus the bid of Power Line Rent Equipment, Inc., is non-responsive; the lowest bid meeting specifications for the hydraulic crane was submitted by J. W. Burress, Inc., in the amount of \$69,988.00; and funding is available from the SunTrust Lease of Vehicles, Account No. 017-440-9851-9015.

The City Manager recommended that Council accept the bid of Magic City Motor Corporation for one cab/chassis, in the amount of \$43,888.00 and the bid of J. W. Burress, Inc., for a hydraulic crane, in the amount of \$69,988.00; and reject all other bids received by the City.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Hudson offered the following resolution:

(#35528-082001) A RESOLUTION accepting two bids for the purchase of one (1) hydraulic crane and one (1) cab/chassis upon certain terms and conditions, finding that the low bidder with regard to the hydraulic crane did not provide a responsive bid, and rejecting all other bids made for such equipment.

(For full text of Resolution, see Resolution Book No. 64.)

Mr. Hudson moved the adoption of Resolution No. 35528-082001. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Wyatt, Bestpitch, Carder, Harris, Hudson, White, and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-FDETC: The City Manager submitted a communication advising that the Fifth District Employment and Training Consortium (FDETC) administers the Federally funded Workforce Investment Act (WIA) for the region, which encompasses the Counties of Alleghany, Botetourt, Craig, Franklin and Roanoke, as well as the Cities of Covington, Roanoke and Salem; and Workforce Investment Act funding is for two primary client populations:

Dislocated workers who have been laid off from employment through no fault of their own, and

Economically disadvantaged individuals as determined by household income guidelines set by the U. S. Department of Labor.

It was further advised that the City of Roanoke serves as grant recipient and fiscal agent for FDETC funding, therefore, Council must appropriate funds for all grants and other monies received by the FDETC.

It was explained that the State office of the Virginia Employment Commission (VEC) has sent the Consortium notice of an award in the amount of \$10,000.00 to purchase stationery, business cards, publications and signs, which contain the official Virginia Workforce Logo; CDBG funds were awarded to the FDETC for project management and administration of the Employment Training Program, in the amount of \$43,000.00; and jurisdictions in the Fifth Planning District, which include the Cities of Salem, Covington, and Roanoke, and the Counties of Roanoke, Alleghany, Botetourt, Craig and Franklin contribute funds to offset the agency's administrative costs; and Botetourt County has sent a contribution of \$1,770.00 for the fiscal year 2001.

The City Manager recommended that Council appropriate the Consortium's funding totaling \$54,770.00 and increase the revenue estimate by \$54,770.00 in accounts to be established in the Consortium Fund by the Director of Finance.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Carder offered the following emergency budget ordinance:

(#35529-082001) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Consortium Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. Carder moved the adoption of Ordinance No. 35529-082001. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Wyatt, Bestpitch, Carder, Harris, Hudson, White, and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-GRANTS-LIBRARIES-EQUIPMENT: The City Manager submitted a communication advising that the Raleigh Court and Williamson Road Branch Libraries have each been awarded a grant of \$11,400.00 by the Library of Virginia to purchase four computers for each branch; and these branches were not eligible for the grant from the Bill & Melinda Gates Foundation which was received by other branch libraries.

The City Manager recommended that Council accept the Library of Virginia Grant and that she be authorized to execute grant documents upon form as approved by the City Attorney; establish revenue estimates of \$22,800.00 in accounts to be established by the Director of Finance in the Grant Fund; and appropriate funds totaling the same in accounts to be established by the Director of Finance.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Carder offered the following emergency budget ordinance:

(#35530-082001) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Grant Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. Carder moved the adoption of Ordinance No. 35530-082001. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Wyatt, Bestpitch, Carder, Harris, Hudson, White, and Mayor Smith-----7.

NAYS: None-----0.

Mr. Carder offered the following resolution:

(#35531-082001) A RESOLUTION accepting a Library of Virginia Grant to the Raleigh Court and Williamson Road branches of the Roanoke City Public Library for the purchase of four computers for each branch, upon certain terms and conditions.

(For full text of Resolution, see Resolution Book No. 64.)

Mr. Carder moved the adoption of Resolution No. 35531-082001. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Wyatt, Bestpitch, Carder, Harris, Hudson, White, and Mayor Smith-----7.

NAYS: None-----0.

Council Member Wyatt requested a report on the number of computers in the main library and each branch library.

POLICE DEPARTMENT-BUDGET-GRANTS: The City Manager submitted a communication advising that for fiscal year 2001, Congress appropriated funds for continuation of the Local Law Enforcement Block Grant (LLEBG) Program, to be administered by the Bureau of Justice Assistance and the U. S. Department of Justice; the purpose of the grant program is to provide funds to units of local government to underwrite projects to reduce crime and to improve public safety; the City of Roanoke has been awarded an amount of \$140,859.00, and grant conditions require a local match of \$15,651.00, for a program totaling \$156,510.00, for the period October 1, 2001 through September 30, 2003; and if accepted, the grant award will renew Roanoke's Local Law Enforcement Grant Program for the sixth consecutive year.

It was further advised that grant funds will be used for payment of overtime to presently employed law enforcement officers for the purpose of increasing the number of hours worked by such personnel, procuring equipment, training and other materials directly related to basic law enforcement functions, and Police bicycle patrol directed at specific/problem areas or neighborhoods will be expanded through implementation of the program.

It was explained that the grant program requires that all grant funds (\$156,510.00) be placed in an interest bearing account; based on interest earned during each of the past five years of funding, interest earnings of \$5,000.00 are

projected; and local cash match of \$15,651.00 is available in the Police Department's State Asset Forfeiture account, Account No. 035 050 3302 2149.

The City Manager recommended that she be authorized to accept the grant and execute any required documentation; and that Council appropriate \$161,510.00 to certain grant fund accounts to be established by the Director of Finance in the following amounts:

Police Overtime	\$134,840.00
FICA	11,170.00
Expendable Equipment	15,000.00
Training and Development	<u>500.00</u>
Total	\$161,510.00

It was further recommended that revenue estimates be increased in accounts to be established by the Director of Finance; and authorize unexpended grant funds to draw interest in accordance with grant requirements.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Hudson offered the following emergency budget ordinance:
(#35532-082001) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Grant Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. Hudson moved the adoption of Ordinance No. 35532-082001. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Wyatt, Bestpitch, Carder, Harris, Hudson, White, and Mayor Smith-----7.

NAYS: None-----0.

Mr. Carder offered the following resolution:

(#35533-082001) A RESOLUTION authorizing the acceptance of a certain Local Law Enforcement Block Grant from the United States Department of Justice, and authorizing execution of any required documentation on behalf of the City.

(For full text of Resolution, see Resolution Book No. 64.)

Mr. Carder moved the adoption of Resolution No. 35533-082001. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Wyatt, Bestpitch, Carder, Harris, Hudson, White, and Mayor Smith-----7.

NAYS: None-----0.

FIRE DEPARTMENT-LEASES: The City Manager submitted a communication advising that the Cities of Salem and Roanoke currently have fire “mutual aid” agreements with each other; additionally, both jurisdictions are part of a statewide mutual aid agreement, which have specific provisions that require the jurisdiction needing assistance to make a formal request to the providing agency; the proposed agreement takes mutual aid one step further to “automatic aid”, which is defined as the appropriate response to an incident, initiated through the 9-1-1 system of the jurisdiction in which the incident is occurring, without being specifically requested; response zones are pre-determined and fire resource committed based on terms of the agreement, usually response time or distance; and as required by law, each party will be required to indemnify the other party from all claims by third persons for property damage, personal injury, or death which may arise out of activities of the assisting party.

It was further advised that concurrent with the approval of the automatic aid agreement with the City of Salem, authorization for termination of the lease for Fire Station No. 12, located at 4810 Salem Turnpike, N. W., is requested; the lease agreement requires 90 days written notification prior to termination; the primary area currently served by Fire-EMS Station No. 12 will receive fire and rescue services from Fire-EMS Station No. 13, located at 4330 Appleton Avenue, N. W., and Station No. 4, 3763 Peters Creek Road, in addition to fire response from the City of Salem; and the level of emergency response from these locations will provide fire and emergency medical services which are comparable to other sections of the City that have similar service needs and will meet the requirements of the annexation agreement.

The City Manager recommended that she be authorized to execute the Memorandum of Agreement for Mutual Automatic Aid for Fire Protection Services with the City of Salem, such agreement to be approved as to form by the City Attorney and provide notice of termination of the lease of Fire Station No. 12.

The City Manager called attention to a revised measure that was placed before Council prior to the meeting which provides for further clarification of the termination

clause and a provision that during the implementation period, Council will receive monthly status reports detailing the progress made by the transition team.

Mr. White offered the following revised ordinance, with deletion of the emergency clause, for its first reading:

(#35534-082001) AN ORDINANCE authorizing an agreement with the City of Salem, Virginia, to provide mutual automatic aid for fire protection services within designated areas; and authorizing notice of termination of the lease for the fire station located at 4810 Salem Turnpike, N. W.; and providing for an emergency.

(For full text of Resolution, see Resolution Book No. 64.)

The motion was seconded by Mr. Carder.

Mr. Martin Jeffrey, 3912 Hyde Park Drive, S. W., advised that the issue relates to accountability, and requested that Council delay action on a vote to terminate the lease of Fire Station No. 12, because the perception of security is what taxpayers' comfort and insurance rates are predicated upon. He pointed out that the Fire Chief stated in a meeting on July 30 that the Fire Department's response time projections under the proposed new plan did not take into account the City's topography; whereupon, Mr. Jeffrey stressed the importance of the comprehensive analysis factoring in response times due to topography issues. He stated that this is especially troubling because one of the Fire Department's primary reasons for the proposed change in its business plan dealt with the addition of larger fire fighting apparatus that climb hills slowly; Roanoke has many steep hills in its residential areas and the Autumn Lane area is no exception, with more steep hills per square block than most City neighborhoods of its size. He added that the City says it is committed to its neighborhoods, to citizen participation, to quality of life, to listening and valuing taxpayer concerns and to placing those concerns over and above rushing to spend tax dollars at whatever cost. He advised that the request before Council is a glaring example of acute lack of accountability by the City administration to the taxpayers of Roanoke. He stated that his remarks were made in the context of helping his fellow taxpayers and to encourage citizens to ask more questions, attend Council meetings and to look at who is benefitting from project dollars.

Mr. Hudson advised that he is a strong advocate of valley cooperation; however, he could not vote for something that will jeopardize the safety of Roanoke's citizens. He expressed concern that the provisions of the 1976 annexation decree will not be honored if Fire Station No. 12 is closed.

Ms. Wyatt advised that certain commitments were made to the citizens of the Peters Creek Road area in the 1976 annexation decree, and she could not be a party to any action that does not honor those commitments. She advised that it was not her goal to "nit pic" the procedure, but as a result of past experience, it is important that a plan be fully organized before it is implemented. She stated that a regional fire/ems system is needed, but Council has a responsibility to ensure that it is the right step by honoring commitments that were previously made to citizens.

Mr. Carder advised that no safety issues are involved; at some time in the future, it will be necessary to move toward a regional fire/ems operation and if Council "nit pics" every idea, regional service will be difficult to achieve. He stated that the proposal calls for a six month study, therefore, the matter can be revisited if necessary; the proposal represents Valley cooperation; response times are more than adequate; it is recognized that there are areas on the south side of the City that are in need of better fire/rescue protection and the agreement will benefit the citizens of Roanoke. He advised that the City of Roanoke cannot continue to be an "island" in terms of fire/ems coverage, and there is a strong need to regionalize service.

Mr. Bestpitch pointed out that the revised ordinance provides an opportunity to send a message that since the emergency clause has been deleted, the ordinance will be voted on by Council on its second reading on Tuesday, September 4, to be effective ten days thereafter, with the termination notice for Fire Station No. 12 to go out on October 1. He stated that passing the measure on its first reading today sends a message to the transition team that it should take its responsibilities very seriously, address concerns and resolve issues to provide for the kind of progress that will lead to an integral piece of a larger effort to move toward a regionalized fire/ems system that will provide better protection to the citizens of the Roanoke Valley as a whole in a much more efficient manner than continuing to maintain two separate systems.

Mr. Harris advised that serving on Council is a matter of honoring public trust, and when the area was annexed to the City, certain promises were made and expectations were put forth about various services that would be rendered, many of

which have not developed 25 years after the annexation decree. He stated that he would like for the arrangement with the City of Salem to be successful and spoke in favor of a regionalized approach to public safety services; however, he expressed concern over an unspoken caveat which is: if the proposal does not work for whatever the reason, once the lease on Fire Station No. 12 is terminated, there will be no guarantee that Station 12 will reopen, because the lease is no longer in perpetuity. For that reason, he advised that he would vote against the ordinance; however, he is hopeful that the arrangement with the City of Salem will be successful.

The Mayor advised that it is a question of treating all citizens as equally as possible. He stated that it has been explained that it may take 10 - 15 seconds longer to address some areas of the City in the range of Fire Station No. 12, but the proposal will enhance response times by reducing those times by three to four minutes or more in certain other areas of the City which is a net gain, therefore, the immediate neighborhood in general will have better response times than the majority of the City. He advised that Fire Station No. 12 was developed many years ago, fire equipment and apparatus have been upgraded and there are new and better roadways in Roanoke's neighborhoods, all of which contribute to faster response times.

The City Manager pointed out that there will be the deployment of an additional ambulance in the Peters Creek Road area which is an area of the City that has a high demand for ambulance service.

Ordinance No. 35534 on its first reading, was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, White and Mayor Smith-----4.

NAYS: Council Members Wyatt, Harris and Hudson-----3.

DIRECTOR OF FINANCE:

DIRECTOR OF FINANCE-AUDITS/FINANCIAL REPORTS: The Director of Finance submitted a written report transmitting unaudited financial statements for the fiscal year ended June 30, 2001, which are provided for planning purposes.

He advised that the amounts reported may change during the course of the City's annual external audit; and a discussion of the City's General Fund operations for fiscal year 2001 is as follows: revenue estimate from all sources was \$183,974,493.00, while actual collections totaled \$186,641,942.00; total General Fund revenues collected increased 2.92 percent and exceeded the estimate by 1.45 percent; the most anxiously awaited information at year end is the amount of designated funding for the Capital Maintenance and Equipment Replacement Program (CMERP); Council adopted Ordinance No. 26292 on December 6, 1982, establishing a reserve of General Fund balance for CMERP; computed per the requirements of Ordinance 26292, CMERP for fiscal year 2001 for the Schools is \$814,204.00 and \$5,454,530.00 for the City, for a total of \$6,268,734.00, or 3.25 percent of General Fund appropriations; and the following allocation has been calculated based on the Revenue Allocation Model used for the adopted budget:

City Operations	\$ 5,454,530.00
School Operations	<u>814,204.00</u>
Total General Fund CMERP	<u>\$ 6,268,734.00</u>

The Director of Finance reiterated that the General, School and School Food Services Fund amounts discussed in the report are unaudited and subject to change during the course of the City's external audit; and a comprehensive financial report of all funds of the City will be included with the annual financial report.

(For full text, see report on file in the City Clerk's Office.)

Mr. Hudson moved that a portion of the undesignated fund balance be used to enhance teacher salaries.

The motion failed for lack of a second.

The Mayor requested information on the fiscal year 2000 comparative figure for the "Transfer to Debt Service Fund".

Without objection by Council, the Mayor advised that the report would be received and filed.

REPORTS OF COMMITTEES: None.

UNFINISHED BUSINESS: None.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: None.

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

BUDGET-ACTS OF ACKNOWLEDGEMENT: Vice-Mayor Carder commended the City administration/City staff on measures which were taken that resulted in the City's unaudited year end fund balance as previously reported by the Director of Finance.

COUNCIL-BONDS/BOND ISSUES-REFUSE COLLECTION: Council Member Hudson expressed appreciation to those citizens of Roanoke who have supported him in his position regarding curbside refuse collection and a bond referendum on the \$31 million bond issue.

OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard; and matters requiring referral to the City Manager will be referred, without objection by Council, for response, report and recommendation to Council.

COMPLAINTS-REFUSE COLLECTION: Ms. Harriet W. Stanley, 1424 West Drive, S. W., presented a prepared statement and requested that her status on the physically challenged list for solid waste collection be immediately and permanently restored.

(See communication on file in the City Clerk's Office.)

Mr. Bestpitch advised that Ms. Stanley's communication states, in part, as follows: "Mr. Bestpitch stated that he would not help me as trash collection was not as big a priority to him as recycling". He stated that this is a misrepresentation of his conversation with Ms. Stanley, when, in fact, he advised Ms. Stanley that he could not answer her question at that time, but he would talk with the City Manager and a response would be provided as soon as possible. He advised that after personally viewing Ms. Stanley's driveway, and based on her description regarding the physical impossibility of moving her blue refuse container from the end of her driveway to the street, he expected to see some configuration of a driveway that was unusual; however, it was a typical driveway of about the same width of any driveway in the City and did not appear to be difficult in any way to maneuver. He stated that because of the topography and the design of Ms. Stanley's property, he would support an exception in her specific situation to the requirement of taking the can to the rear of the house, but that would be the only reasonable exception to consider at the time.

COMPLAINTS-COUNCIL-CITY GOVERNMENT: Ms. Helen E. Davis, 35 Patton Avenue, N. E., expressed concern that there needs to be better communication

between Council and the citizens of Roanoke. She advised that Roanoke is not a participatory government because citizens are not allowed to engage in dialogue with Council Members, citizens are given only five minutes at Council meetings to make remarks, and they are not permitted to address Council in work sessions.

At 5:35 p.m., the Mayor declared the Council meeting in recess to be reconvened at 5:45 p.m., in the Emergency Operations Center Conference Room, Room 159, Noel C. Taylor Municipal Building, for a joint meeting of City Council and the School Board.

A joint session of Roanoke City Council and the Roanoke City School Board was called to order at 5:45 p.m., in the Emergency Operations Center Conference Room, Room 159, Noel C. Taylor Municipal Building , 215 Church Avenue, S. W., with Mayor Ralph K. Smith and Chairman Sherman P. Lea presiding.

COUNCIL MEMBERS PRESENT: Linda F. Wyatt, William D. Bestpitch, William H. Carder, C. Nelson Harris, W. Alvin Hudson, Jr., William White, Sr., and Mayor Ralph K. Smith-----7.

SCHOOL TRUSTEES PRESENT: Charles W. Day, Marsha W. Ellison, Gloria P. Manns, Melinda J. Payne, Ruth C. Willson, Brian J. Wishneff and Chairman Sherman P. Lea-----7.

STAFF PRESENT: Representing Roanoke City: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; James D. Grisso, Director of Finance; Mary F. Parker, City Clerk; Robert H. Bird, Municipal Auditor. Representing Roanoke City Schools: Dr. E. Wayne Harris, Superintendent; Richard L. Kelley, Assistant Superintendent for Operations; Elizabeth K. Dillon, Assistant City Attorney; and Cindy H. Lee, Clerk to the Board.

Following dinner, the business portion of the meeting convened at 6:15 p.m.

It was the consensus of Council Members and School Trustees that the order of the agenda would be changed to address an item regarding audit expectations first.

Chairman Lea advised that four years ago, the School Board voluntarily entered into an agreement with the Municipal Auditor's Office to expand the audit process beyond auditing just the School Activity Fund, and the audit now involves auditing school departments and offices by examining records, procedures and practices. He stated that the School Board and the Superintendent of Schools have

supported the audit expansion process because audits identify practices that need to be changed and improvements that need to be made to enhance operation efficiencies, and after four years, it is still the belief of the School Board that audits serve a useful purpose. He added that since the beginning of the expanded audit process, five audits have been completed and a copy of the most recent audit of the Human Resources Department and the administrator's response has been provided to Council. He noted that three audits of the Human Resources Department have occurred during the past four years; the 1999 audit involved more time because of the many functions, range, responsibilities and complexities of the department; in 1999 and 2000, Human Resources audits contained a number of recommendations, most of which have been acted upon and those audits contained no findings or recommendations which focused on hiring practices related to criminal records. He added that both audits focused on issues surrounding records documentation and management; and during the two audits, auditors complimented the Human Resources Department on its cooperation and willingness to address recommendations. He advised that the most recent Human Resources audit included 11 recommendations, the administrator's response includes acceptance and positive action on 8 of the 11 recommendations; and the School Board has agreed to consider Recommendation No. 6 pertaining to development of standards following a departmental review by Human Resources experts of the Human Resources Department during the month of October 2001. He advised that when the audit process was expanded four years ago, the Superintendent of Schools and the Municipal Auditor verbally agreed to the process that would be used and a meeting has now been scheduled by the Superintendent of Schools and the Municipal Auditor to discuss how the audit process could proceed in the future, and during this meeting, a written agreement will be developed that will enhance the process by defining the scope and sequence of future audits.

Council Member White, Chair, City of Roanoke Audit Committee, spoke in support of formalizing the audit process, and called upon the City Attorney for a briefing in regard to legal issues.

The City Attorney advised that the City Charter provides that Council, in its discretion may, by ordinance, provide for an audit of both the affairs and records of the School Board by either the Municipal Auditor, or by any other competent person or firm selected by Council. He called attention to an opinion from the Attorney General of Virginia, copy of which was previously provided to Council, with regard to authority by the governing body to audit affairs of the school system. He stated that the Attorney General opined that local governing bodies may conduct administrative audits with the cooperation of the School system's administrator; supervision of the school system by the Virginia constitution is vested in the School

Board, be it elected or appointed, and any audit performed by a governing body could be done with the cooperation of the School Board so long as it did not interfere with the day to day operations of the school system and as long as it did not interfere with control by the School Board of the administration of the school system itself. He advised that if Council is considering using the City Charter provision for audit purposes, terms and expectations of the audit should be agreed to in writing. He called attention to a 1970 resolution adopted by the School Board requesting that Council create, by ordinance, general authority for audits to be performed by either the City Auditor, or by an outside auditor at the request of the School Board.

Council Member Wyatt suggested the appointment of a subcommittee composed of representatives of the School Board, City Council, the School Administration and the City Administration to discuss audit details to be presented to City Council and to the School Board for review. She spoke to the advantage of a more formal audit process and advised that since both the City and the Schools have an Audit Committee, representation of the subcommittee could be appointed from the membership of both committees.

Following questions and concerns, Dr. Harris advised that this particular audit process deviated from the previous four audits in that pursuant to an agreement with the Municipal Auditor, when the audit process was completed, a meeting was to be held with the Municipal Auditor, a representative of the department being audited and a member of the audit staff to discuss findings. He stated that in this particular audit, when the audit was in early draft form, information was given to the news media in advance of any opportunity for the School administration to address the 11 recommendations. He further stated that three news articles were published in the newspaper far in advance of the Audit Committee or the School Board receiving the audit report or a response from the School administration. He advised that all audits have been made public, all responses from the School administration have been made public, and there has never been any attempt to hide any of the findings.

Mr. Bird advised that this audit was, in fact, handled differently from the other four audits. He explained that it is a normal course of practice in the audit profession that when one level is indicated in a compliance issue where it is felt that the party is not complying with policy, the procedure is to go to another level of management. He stated that when auditors looked at the issue of the Superintendent of Schools not complying with certain policy in terms of hiring practices, the Chair of the School Board and the Chair of the Audit Committee were approached and from that point forward his office dealt with those two individuals and with the School Board in communications, as opposed to communicating with the Superintendent of Schools.

Following questions and discussion of audit issues, the Mayor suggested that he, along with Council Members William White and Nelson Harris, Chair and

Vice-Chair, respectively, of the City's Audit Committee, be authorized to meet with School Board Chair Sherman Lea, to begin discussions in an effort to reach an understanding that will be agreeable to both Council and the School Board.

Mr. Carder requested that the remainder of the agenda items; i.e.: Roanoke City Project on Bullying, Fees for Use of Roanoke City/Roanoke City Public Schools Facilities, and Future Funding Needs in Roanoke City Schools/Budget Protocol, be rescheduled for discussion at another joint meeting of Council and the School Board as soon as possible.

There being no further business, the Mayor declared the City Council meeting in recess at 7:10 p.m., to be reconvened at 7:20 p.m., in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke.

On Monday, August 20, 2001, at 7:20 p.m., the Roanoke City Council reconvened in regular session in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with the following Council Members in attendance, Mayor Smith presiding.

PRESENT: Council Members Linda F. Wyatt, William D. Bestpitch, William H. Carder, C. Nelson Harris, W. Alvin Hudson, Jr., and Mayor Ralph K. Smith-----6.

ABSENT: Council Member William White, Sr.-----1.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; James D. Grisso, Director of Finance; and Mary F. Parker, City Clerk.

The reconvened meeting was opened with a prayer by Council Member C. Nelson Harris.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

PUBLIC HEARINGS:

COMMUNITY PLANNING-ROANOKE VISION, COMPREHENSIVE DEVELOPMENT PLAN: Pursuant to action of the Council, the City Clerk and the Secretary to the City Planning Commission, having advertised a joint public hearing by Council and the City Planning Commission for Monday, August 20, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of the City of Roanoke to consider the Vision 2001 Comprehensive Plan, City of Roanoke, dated August 3, 2001, the matter was before the body.

City Planning Commission Members present: Gilbert E. Butler, Jr., Alfred T. Dowe, Jr., Melvin L. Hill, Richard A. Rife and D. Kent Chrisman, Chair.

Martha P. Franklin, Secretary, was also present.

Legal advertisement of the joint public hearing was published in The Roanoke Times on Saturday, August 4, and Saturday, August 11, 2001.

(See publisher's affidavit on file in the City Clerk's Office.)

Ms. Lander advised that the final Comprehensive Plan before Council and the City Planning Commission has a new date of August 20, 2001, and includes certain minor changes since the draft that was presented to Council and dated August 3, which changes would be summarized in her presentation.

She advised that the Comprehensive Plan is required by the Commonwealth of Virginia, and serves as a guide for development decisions, includes many comprehensive elements, provides balance among elements, is broad and forward thinking and sets realistic goals and actions. She stated that challenges facing Roanoke are a decreasing population, changing demographics, aging housing stock, little new housing development, stagnant economy and limited new land for development. She explained that the planning process for development of the Comprehensive Plan began approximately one year ago; a survey was distributed to every City household and the results were shared at one of the first public hearings to kick off the Plan; a 44 member Citizens Advisory Committee was appointed by Council to guide the development of the Plan and the public participation process; two public forums were held and another is planned for the future to kick off the Plan because citizens will be needed to help implement the Plan and to work as partners with government to achieve goals and action strategies; six task teams were established to discuss issues facing the City, with a seventh team on City design having been formed later in the process to work with the recommendations of the six task teams on the design of new development; and approximately 50 public work sessions were held from October, 2000 to May 2001, with over 2000 estimated participants.

Ms. Lander advised that the Plan's key themes include: Roanoke is the heart of the region, Roanoke must be a sustainable and livable community, Roanoke's quality of life and economic development are integrally related, Roanoke's environment and cultural resources are important assets, and Roanoke must be a beautiful City.

She presented the following key recommendations from the Housing and Neighborhoods section of the Plan:

One of the key recommended strategies for moving the Plan forward is to look at its neighborhoods as villages that are served by small commercial centers. Raleigh Court and South Roanoke neighborhoods have vibrant centers. Henry Street once provided such a center to the Gainsboro neighborhood. The Plan identifies several neighborhood centers and recommends appropriate commercial and mixed housing opportunities around these centers. It is important to point out that the creation of these centers may result in the redevelopment of some existing neighborhood areas - - some demolition of existing residential buildings may have to be done to provide for new mixed use development.

A strong emphasis is placed on creating new housing opportunities in the City – both in the choice of housing type and in the price ranges. It is important that citizens have choices in housing for all neighborhoods and that neighborhoods provide a range of homes, from affordable to high end.

Neighborhood plans will continue to be done for all City neighborhoods. Approximately one third of the City has been studied and plans developed – some of which will be coming to Council in the near future. These plans will complement the Comprehensive Plan and make more detailed recommendations regarding specific strategies and zoning patterns.

With regard to environmental resources, she advised that the City and the region's environmental resources are very important to Roanoke's quality of life and its future; in particular, greenways, viewsheds and trees were identified as critical to Roanoke's future; in addition, the preservation and enhancement of historic properties is critical to understanding Roanoke's sense of place and its past history and it is important to note that the City Market and the City's historic neighborhoods have been successful economic investment tools; and air and water quality is increasingly more important to Roanoke's future sustainability and new regulations will not be easy to deal with, but are needed to have quality air and water now and in the future.

Ms. Lander noted that economic development is fundamental to achieving the goals set forth in the Plan; the Plan recommends an expanded economic base that targets various industry clusters; it is important that the City continue to diversify its economic base and to consider new areas for redevelopment; downtown continues to be key to the City's economic well-being and downtown housing is recommended for expansion, as well as better utilization of second and third floor spaces; village centers are keys to Roanoke's residential neighborhoods and these recommended

commercial and mixed use areas will provide unique environments and services to residents, thereby competing well with surrounding suburb development that relies on the automobile; and regional economic development and approaches continue to be recommended.

It was pointed out that transportation systems do not stop at jurisdictional lines and regional planning for transportation systems is important to ensuring quality development that enhances existing built communities; the development of a multi-modal transportation system for cars, pedestrians, bicycles, and transit is strongly recommended in the Plan because the City should not be dependent on cars for transportation and should encourage sidewalks, greenways, and bicycle facilities, as well as considering transit as alternatives in the future; the regional airport is important to economic development and to the residents of the region and special attention is needed to ensure quality facilities and operations that adequately serve its users; if Roanoke is to attract new technology and businesses that use the technology, it must provide the infrastructure to service those users and continued leadership is needed to work with private businesses to provide services and to promote them as available; and regional approaches to water and sewer facilities, as well as the management of storm water runoff, are recommended.

Ms. Lander advised that community policing as a philosophy for providing public safety continues to be emphasized in making the community safe; recycling also was identified as very important to a sustainable community and programs will need continued leadership to emphasize recycling as important; Code administration for building, zoning, development and nuisance regulations should continue to be improved to meet the needs of Roanoke's citizens and businesses, with careful balancing of interests being important to the success of any new regulations that may be proposed; two multi-service facilities, or centers, are recommended as pilot projects to better serve citizens where the needs are the greatest, which are not meant to duplicate services provided by City Hall, but to provide better access to citizens where it is needed and to have City staff work collaboratively in the community to address issues and needs and it is important to note that these are not community centers and will not be in every neighborhood, but they could be located in existing public buildings in a neighborhood.

She noted that it is essential that the school system continue to provide quality education to Roanoke's youth and that school facilities and programs be available to all citizens beyond school hours; lifelong learning is essential to Roanoke's future for both young and old and libraries and schools should provide quality programs to enhance continued education; workforce development, which is education and training, is critical to both economic development initiatives and that of people; and regional approaches to providing human services should be encouraged and pursued.

Ms. Lander stated that the design of new buildings and facilities is critical to creating a beautiful City; the Plan provides recommendations for various areas of the City including commercial corridors, streets and neighborhoods which principles serve as guidelines that are to be used to encourage quality development; and it is anticipated that the principles would be promoted through collaborative work efforts between City staff and private developers.

She advised that strategic initiatives include target industry clusters, technology infrastructure, redevelopment commercial and industrial, village centers, multi-service facilities, new housing opportunities, critical amenities, marketing and tourism, streetscapes, and a healthy community. She stated that implementation tools include a new zoning ordinance that should be developed over the next year, the City's operating budget and capital improvement program budget should reflect the Comprehensive Plan and adopted Neighborhood Plans, regional cooperation is necessary to effectively achieve many of the goals for the future and public/private partnerships are essential to implementation of the Plan because government cannot do it alone.

Ms. Lander stated that the next step is a public forum that is planned for early October at which time the Plan will be "rolled out" and a challenge will be issued to citizens and businesses to work with government on implementing key projects and it is hoped that the forum will be energizing and effective in moving Vision 2001 from a paper plan to action; to measure progress, it is recommended that the City Administration provide Council and the citizens with an annual report card on the actions taken or pending; it is also recommended that community indicators be developed to assist in monitoring the sustainable community, discussions with Virginia Tech have already begun, and the Vital Signs Report from the New Century Council would also be of help; continued citizen involvement is important to ensuring that the City is doing what needs to be done; and ongoing planning for the City and its neighborhoods must continue.

The Mayor inquired if there were persons present who would like to be heard in connection with the matter; whereupon, the following persons addressed Council and the City Planning Commission:

Walter Rugaber, Chair, Vision 2001 Comprehensive Plan Committee, thanked the members of the Advisory Committee and City Planning staff for the caliber of their work.

Mr. Joseph Miller, 2812 Longview Avenue, S. W., member of the Design Team, advised that City staff did an outstanding job in soliciting ideas, with good and positive discussion regarding potential residential and commercial developments for the City. He stated that he appreciated the opportunity to participate in his capacity as a member of the Roanoke Valley Home Builders Association, and commended the

Plan which is pro development for Roanoke City. He advised that the Roanoke Valley Home Builders Association is excited that Roanoke City has taken this position.

Mr. Read A. Lunsford, 1525 West Drive, S. W, advised that meetings provided a well conceived and well coordinated attempt to incorporate input from citizens into the Comprehensive Plan. He stated that he chose to participate in discussions regarding village centers, redeveloping underutilized commercial and industrial sites, and the Design Group. He advised that the City of Roanoke is blessed with a great deal of positive things, but its City Planning staff, City Council and City management team made the process of preparing the Comprehensive Plan an overall pleasurable learning experience.

Elizabeth Belcher, 5998 Grandin Road, S. W., Roanoke Valley Greenway Coordinator, advised that the greenways issue came up in four of the six task groups, which is a reflection that citizens want a walkable, livable community and they view greenways as a part of that community. She stated that she was excited about other parts of the Plan, such as tree canopy, Roanoke as an outdoor destination, conservation easements, watershed protection, protection of the Blue Ridge Parkway, village centers, and connections to Carvins Cove and the Appalachian Trail. She encouraged that all adopted plans of the past be incorporated into the Comprehensive Plan, such as the Carvins Cove Plan, the Parks Master Plan, the Greenways Plan and that other future regional plans be incorporated. She also encouraged revisions to the zoning ordinance which will incorporate and address such things as the Roanoke River overlay, protection of the Roanoke River, Carvins Cove Watershed, development in flood prone areas, and tree canopy goals to protect air quality. She spoke in support of continued work on the Roanoke River Greenway.

Ms. Debbie Nason, 5055 Upland Game Road, Roanoke County, advised that since she is a resident of Roanoke County, it was especially gratifying to participate in the process and to meet different people because the process represented a true cross section of Roanoke and served as a kind of community meeting place, giving persons with different agendas an opportunity to speak out and voice their concerns. She requested that the Comprehensive Plan be simplified and publicized to the community at large.

Ms. Christie Meredith, 2702 Avenel Avenue, S. W., expressed concern with regard to a letter that was published in the Commentary section of The Roanoke Times some time ago entitled, "Roanoke Will Never Be A Youth Magnet". She stated that the author could not be more wrong because Roanoke has all of the raw ingredients to be a vibrant place and the recipe to take those raw ingredients and turn them into an incredible dish which is spelled out in the

Comprehensive Plan. She advised that she believes in the Comprehensive Plan, there is a ground swell of support for the Plan, there is a mandate for the Plan, and citizens want the Plan to be implemented. She added that good design will make a difference to the City – Roanoke must be a beautiful City and it must be committed to making the physical appearance of the environment excellent because that has a direct relationship to the sustainability of Roanoke’s neighborhoods and the stewardship of its beautiful resources. She stated that once the attractive elements of the City and the region are protected to capitalize on attracting all demographics to Roanoke, the focus should then be on quality of life, entertainment and cultural venues, and development of a market image for the City of Roanoke. She added that improving the environment is good business because companies want to locate in a city that provides their employees and families with a variety of recreational activities such as greenways and biking trails, downtown must be a 24-hour area which means that there should be more downtown living, more choices of entertainment venues and increased funding for cultural organizations, along with creation of an image which must be defined and articulated.

Ms. Evelyn D. Bethel, 35 Patton Avenue., N. E., referred to Page 2.1 of the Comprehensive Plan where considerable information related to Roanoke’s past is listed, but fails to indicate that Gainsboro was a City before Roanoke City was chartered, and advised that this portion of the Comprehensive Plan should be revised to indicate the importance of the Gainsboro community. She also referred to Page 3.39 which indicates parking in residential areas typically is not an issue; however, those areas where there are businesses or institutions have some parking conflicts that may require residential parking permits to limit the time of day or duration of parking. She stated that between the words “of” and “parking,” the word “non-residential” should be inserted because the sentence as currently drafted could be interpreted to provide that residents have limited times to park. She inquired as to whether revisions to the Comprehensive Plan will be entertained in the future.

In response to Ms. Bethel’s remarks, it was pointed out that the Comprehensive Plan will be revisited on a regular basis. It was also noted that a revision to Chapter 2.1 has been provided to indicate that, “In 1834 the Town of Gainesborough was chartered adjacent to the Village of Big Lick The older settlement, including Gainesborough, become known as Old Lick....”

There being no further comments from citizens, the City Planning Commission adopted a resolution recommending adoption of Vision 2001, dated August 20, 2001, the Comprehensive Plan for the City of Roanoke, to City Council, recommending adoption as elements of Vision 2001 those Neighborhood Plans and plans of development previously adopted elements of Roanoke Vision.

(For full text, see resolution on file in the City Clerk's Office.)

Mr. Hudson offered the following ordinance:

(#35535-082001) AN ORDINANCE adopting Vision 2001, dated August 20, 2001, the comprehensive plan for the City of Roanoke, adopting as elements of Vision 2001 those neighborhood plans and plans of development previously adopted as elements of Roanoke Vision, and dispensing with the second reading of this ordinance by title.

Mr. Hudson moved the adoption of Ordinance No. 35535-082001. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Wyatt, Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member White was absent.)

The Mayor declared the public hearing closed.

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, August 20, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of the City of Roanoke that a certain tract of land containing approximately 2.80 acres, more or less, located on Colonial Avenue, S. W., being a portion of a larger tract of land bearing Official Tax No. 1570101, be rezoned from RS-2, Residential Single-family District, to C-2, General Commercial District, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, August 3, and Friday, August 10, 2001.

(See publisher's affidavit on file in the City Clerk's Office.)

A report of the City Planning Commission advising that the City of Roanoke owns a tract of land containing approximately 29.2 acres along Colonial Avenue, S. W.; the property is currently zoned RS-2, Residential Single-Family District; in July, 2001, Carilion Health Systems approached the City with an offer to purchase a portion of the property along Colonial Avenue for the purpose of developing medical offices, which are not permitted in the RS-2 district; and the City requested that a 2.8

acre portion of the property be rezoned from RS-2 to C-2, General Commercial District, was before Council.

The City Planning Commission recommended that Council approve the request for rezoning.

(For full text, see report on file in the City Clerk's Office.)

Mr. Carder offered the following emergency ordinance:

(#35536-082001) AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 157, Sectional 1976 Zone Map, City of Roanoke, to rezone certain property within the City, subject to certain conditions proffered by the applicant; and dispensing with the second reading of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. Carder moved the adoption of Ordinance No. 35536-082001. The motion was seconded by Mr. Harris.

The Mayor inquired if there were persons present who would like to address Council with regard to the request. There being none, Ordinance No. 35536-082001 was adopted by the following vote:

AYES: Council Members Wyatt, Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member White was absent.)

The Mayor declared the public hearing closed.

PURCHASE/SALE OF PROPERTY-CITY PROPERTY-HOSPITALS: Pursuant to action of the Council, the City Clerk having advertised a public hearing for Monday, August 20, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of the City of Roanoke to sell City property located on Colonial Avenue, S. W., to Carilion Health Systems (CHS, Inc.), containing approximately 2.8 acres, more or less, and being a portion of Official Tax No. 1570101 and a 50-foot easement, for a term of five years across adjacent City-owned property located on Colonial Avenue, upon certain terms and conditions, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Sunday, August 12, 2001.

(See publisher's affidavit on file in the City Clerk's Office.)

A communication from the City Manager advising that Carilion Health Systems (CHS, Inc.) has offered to purchase 2.8 acres of City property located on Colonial Avenue, described as a portion of Official Tax No. 1570101, for the purpose of establishing a medical clinic and/or medical office; the City Planning Commission held a public hearing on the proposed rezoning of the parcel of land on August 16, 2001; and the 2.8-acre parcel of land was recently appraised at \$365,000.00.

The City Manager recommended, following the public hearing, that she be authorized to execute a real estate sale agreement between the City of Roanoke and Carilion Health Systems, Inc., for the City to sell to Carilion Health Systems a tract of City-owned land containing 2.80 acres, more or less, and a 50 foot easement, for a term of five years (identified as "New Parcel A" and "New Private Drive and Ingress/Egress Easement" respectively, on a plat entitled "Preliminary Subdivision Map") in the amount of \$375,000.00.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Carder offered the following emergency ordinance:

(#35537-082001) AN ORDINANCE authorizing the City Manager to execute an agreement, deed and any related and necessary documents providing for the sale and conveyance of City-owned property located on Colonial Avenue, S. W., containing approximately 2.80 acres, more or less, and being a portion of Official Tax No. 1570101, and a five-year ingress/egress easement to CHS, Inc., upon certain terms and conditions, and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. Carder moved the adoption of Ordinance No. 35537-082001. The motion was seconded by Mr. Harris.

The Mayor inquired if there were persons in attendance who would like to address Council with regard to the matter; whereupon, Hugh Thornhill, President and CEO of Carilion Medical Group, which currently rents its Colonial Avenue medical practice office at the corner of Ogden Road and Colonial Avenue, S. W., advised that in the year 2002 the lease on the building will expire, thus, representatives of Council have worked with the City to locate three - five acres of land or 12,000 - 14,000 square feet of established space, to relocate its facility. He stated that originally, their interest was in the former Roanoke Montessori School site; however, the property was later leased to the New Vista Montessori School. He called attention to meetings with the

City Planning Department in which the neighborhood village concept was presented and negotiations continued, with the goal of beginning the construction process in the Colonial Avenue area no later than September, 2001. He stated that there have been numerous revisions to a proposed site plan to conform to the neighborhood planning concept, discussions have taken place with the Virginia Department of Transportation concerning turn lanes, deceleration lanes, creation of safe access to the site and engineering studies relating to soil surveys and appraisals. He advised that the value of the transaction has been determined by each party by independent appraiser which is fair market for commercial real estate; completing this transaction will provide the City with an attractive anchor development and an excellent basis for further residential development of the upper part of the Colonial Avenue property with a primary care medical office which is considered to be a good neighbor in a residential area, while adding another business to the City's tax base. He asked that Council act favorably on the request.

Ordinance No. 35537-082001 was adopted by the following vote:

AYES: Council Members Wyatt, Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member White was absent.)

The Mayor declared the public hearing closed.

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, August 20, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of Lee Hi Land Group that conditions on property located on the north side of Orange Avenue, N. E., one-quarter mile east of Granby Street, Official Tax No. 7140114, which was rezoned pursuant to Ordinance No. 33516-080497, be amended, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, August 3, and Friday, August 10, 2001.

(See publisher's affidavit on file in the City Clerk's Office.)

A report of the City Planning Commission advising that the property is a vacant lot in the 3000 block of Orange Avenue (Route 460) between Granby Street and Seibel

Drive; and in 1997, the property was rezoned from LM to C-2, with the following proffered conditions, was before Council:

The property will be developed in substantial conformity with the development plan; and

The property will not be used for a neighborhood or highway convenience store, a fast-food restaurant or outdoor advertising.

It was further advised that a petition to amend the conditions of rezoning was filed on February 1, 2001; a second amended petition was filed on April 11, 2001; and the second amended petition proffers the following conditions:

The property will not be used for a neighborhood or highway convenience store, a fast-food restaurant, or outdoor advertising; and

A maximum of one entrance off of Route 460.

It was noted that a Third Amended Petition was filed on July 10, 2001, to clarify the street extension of Granby Street, N. E., with none of the conditions proffered in the Second Amended Petition having been changed.

The City Planning Commission recommended that Council approve the request to amend proffered conditions, and advised that the amended conditions address inappropriate uses of the site, as well as limiting the number of curb cuts to one.

(For full text, see report on file in the City Clerk's Office.)

Mr. Hudson offered the following ordinance:

(#35538-082001) AN ORDINANCE to amend §§36.1-3 and 36.1-4, Code of the City of Roanoke (1979), as amended, and Sheet No. 714, Sectional 1976 Zone Map, City of Roanoke, in order to amend certain conditions presently binding upon certain property previously conditionally zoned C-2, General Commercial District, and dispensing with the second reading of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. Hudson moved the adoption of Ordinance No. 35538-082001. The motion was seconded by Mr. Carder.

Robert Copt, representing Lee Hi Land Group, advised that the property was rezoned for a Goodwill Store in 1997; however, the lease was not consumated but the property continues to be governed by the proffers enacted pursuant to the rezoning. He stated that elimination of the development plan proffers will provide more flexibility in developing the site, and site plan review will be addressed by City Planning staff at the appropriate time. He asked that Council vote favorably on the request.

Mr. Bestpitch advised that currently, there is no specific plan for any type of development on the property, and spoke against the City foregoing its opportunity to review proffers in connection with any structure that might be sited on the property. He stated that in earlier action, Council adopted the Comprehensive Plan and indicated its intent to move toward requiring more design guidelines, and the proposal under consideration would provide the City with an opportunity to have an impact on the design plan for the property. He advised that he had not heard testimony that would convince him that the request of the petitioners is in the best interest of the City.

Ordinance No. 35538-082001 was adopted by the following vote:

AYES: Council Members Wyatt, Carder, Harris, Hudson, and Mayor Smith---5.

NAYS: Council Member Bestpitch-----1.

(Council Member White was absent.)

The Mayor declared the public hearing closed.

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, August 20, 2001, at 7:00 p. m., or as soon thereafter as the matter may be heard, on the request of Larry Bly and Martin Hall that property located at 322 Bullitt Avenue, S. E., Official Tax No. 4013516, be rezoned from LM, Light Manufacturing District, to C-1, Office District, the matter was before the body.

Due to an advertising technicality, the Mayor advised that the public hearing would be readvertised for Monday, September 17, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard by the Council, in the City Council Chamber.

STREETS AND ALLEYS: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, August 20, 2001, at 7:00 p. m., or as soon thereafter as the matter may be heard, on the request of Kayser Properties, LLC, that a portion of Old Thirlane Road, N. W., bounded on the west by I-581 and on the east by property bearing Official Tax

No. 5420106, be permanently vacated, discontinued and closed, the matter was before the body.

Due to an advertising technicality, the Mayor advised that the public hearing would be readvertised for Monday, September 17, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard by the Council, in the City Council Chamber.

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, August 20, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of Newbern Properties, LP., that property located at the terminus of Tuckawana Circle, N. W., containing approximately 1.67 acre, Official Tax No. 6472003, be rezoned from RM-2, Residential Multifamily, Medium Density District, to LM, Light Manufacturing District, subject to certain conditions proffered by the petitioner, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, August 3, and Friday, August 10, 2001.

(See publisher's affidavit on file in the City Clerk's Office.)

A report of the City Planning Commission recommending that Council approve the request, subject to certain conditions proffered by the petitioner, was before the body.

(For full text, see report on file in the City Clerk's Office.)

Mr. Hudson offered the following ordinance:

(#35539-082001) AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 647, Sectional 1976 Zone Map, City of Roanoke, to rezone certain property within the City, subject to certain conditions proffered by the applicant; and dispensing with the second reading of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. Hudson moved the adoption of Ordinance No. 35539-082001. The motion was seconded by Mr. Carder.

The Mayor inquired if there were persons in attendance who would like to address Council regarding the matter. There being none, Ordinance No. 35539-082001 was adopted by the following vote:

AYES: Council Members Wyatt, Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member White was absent.)

The Mayor declared the public hearing closed.

CITY CODE-ANIMALS/INSECTS-COMPLAINTS: Pursuant to action of the Council, City Clerk having advertised a public hearing for Monday, August 20, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the issue of whether the Code of the City of Roanoke (1979), as amended, should be amended to prohibit the keeping of cattle, sheep, goats and swine in areas of the City not zoned for agricultural use, unless on a farm of five acres in size or larger, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Sunday, August 12, 2001.

(See publisher's affidavit on file in the City Clerk's Office.)

A communication from the City Manager advising that Section 6-7 of the City Code permits the keeping of cattle, sheep, goats, or swine in areas zoned for agricultural use when pens are at least 300 feet from residential property lines, or on farms that are a minimum of five acres in size; and the City Code also allows a person to keep one sheep or goat as a household pet in residential areas, was before Council.

It was further advised that recently, residents of Old Southwest reported problems with a goat and complained that conditions were poor and the smell was a nuisance; a petition was submitted to the City Manager on July 9, 2001, complaining about the noise, smell, and flies in the neighborhood, with a request that the outdated ordinance be revised; in the interim, the property owner has been cited by Animal Control, was convicted in court of a public nuisance, and fined; and revisions to the City Code are proposed which will prohibit the keeping of sheep or goats in residential areas, unless on a farm of at least five acres, or except when such animals are kept for less than 24 hours in connection with certain commercial purposes and conditions.

The City Manager recommended that Council amend the City Code to provide that cattle, sheep, goats or swine may not be kept in any area of the City not zoned for agricultural use, except when such animals are kept for less than 24 hours for

certain commercial purposes when more than 300 feet from any residential building, and except when such animals are kept on farms of five acres or more.

(For full text, see communication on file in the City Clerk's Office.)

Ms. Wyatt offered the following ordinance:

(#35540-082001) AN ORDINANCE amending and reordaining §6-7, Limitation on keeping cattle, sheep, goats and swine, of Article I, In General, of Chapter 6, Animals and Fowl, of the Code of the City of Roanoke (1979), as amended, to prohibit the keeping of any cattle, swine, sheep or goat in any area of the City not zoned for agricultural use; dispensing with the second reading of this ordinance by title; and providing for an effective date.

(For full text of Ordinance, see Ordinance Book No. 64.)

Ms. Wyatt moved the adoption of Ordinance No. 35540-082001. The motion was seconded by Mr. Carder.

The Mayor inquired if there were persons in attendance who would like to address Council regarding the matter. There being none, Ordinance No. 35540-082001 was adopted by the following vote:

AYES: Council Members Wyatt, Bestpitch, Carder, Harris, Hudson, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member White was absent.)

The Mayor declared the public hearing closed.

OTHER HEARING OF CITIZENS: The Mayor advised that Council sets this time as a priority for citizens to be heard; and matters requiring referral to the City Manager will be referred immediately, without objection by Council, for response, report or recommendation to Council.

COMPLAINTS-CITY COUNCIL: Ms. Evelyn D. Bethel, 35 Patton Avenue, N. E., corrected a statement made by the Mayor at the 2:00 p. m. Council session, in which he noted that he had met with Ms. Helen E. Davis following the last City Council meeting. She clarified that the meeting did not relate to City business, but involved Mayor Smith as a private citizen and not as a member of City Council.

She suggested that instead of prohibiting goats in the City of Roanoke, the City should use goats as a means of clearing overgrown City lots of grass and weeds.

COMPLAINTS-CITY COUNCIL: Ms. Helen E. Davis, 35 Patton Avenue, N. E., continued her remarks which were presented at the 2:00 p. m. Council session. She advised that there are many City projects, all proceeding on a fast track, and citizens are not permitted to engage in dialogue with Council Members within the confines of the three to five minutes that citizens are allotted to speak at City Council meetings. She suggested that Council Members meet with citizens in the various quadrants of the City to engage in discussion dialogue on matters of mutual interest and concern. She stated that more employees should be hired in the Solid Waste Department to address refuse collection issues. She thanked Mr. Hudson for speaking out about curbside refuse collection and the \$31 million bond issue by the City without input from Roanoke's citizens. She stated that the sharp and abrupt manner at the 2:00 p.m., Council session in which Ms. Stanley was not permitted to complete her statement regarding refuse collection service was in contrast to the way that a speaker was allowed to complete her remarks during the Comprehensive Plan public hearing at the 7:00 p.m., Council session. She stated that all citizens should be treated fairly with time limitations and tone of voice.

There being no further business, the Mayor declared the meeting adjourned at 8:50 p. m.

A P P R O V E D

ATTEST:

Mary F. Parker
City Clerk

Ralph K. Smith
Mayor

September 4, 2001

The Honorable Mayor and Members
of the Roanoke City Council
Roanoke, Virginia

Subject: Project Based Financing by Virginia's First Regional Industrial Facility Authority
and Amendment to New River Valley Commerce Park Project Participation
Agreement

Dear Mayor Smith and Members of Council:

By Agreement dated September 1, 1998, the City of Roanoke became one of the initial members of Virginia's First Regional Industrial Facility Authority which was created to enhance the economic base for the member localities by developing, owning, and/or operating one or more facilities on a cooperative basis involving its member localities. By agreement dated October 14, 1999, the City of Roanoke, together with certain other member localities, entered into a Participation Agreement for the Authority's first project known as the New River Valley Commerce Park Project to be located in Pulaski County, Virginia. The Project is in the process of being developed, but the Authority has been requested by lenders to provide for project based financing for projects undertaken by the Authority. Also, Wythe County has requested to withdraw from the Project since it intends to pursue its own economic development efforts in Wythe County. The Authority has agreed to allow Wythe County to withdraw and to make its shares available to other participants in accordance with the Participation Agreement. In connection with this matter, counsel for the Authority has prepared an Agreement for Project Based Financing by the Authority and an amendment to the Participation Agreement to allow the withdrawal of Wythe County. Copies of this Agreement and Amendment are attached. Counsel for the Authority has requested that the appropriate jurisdictions approve execution of the documents so that the Authority can proceed with appropriate financing for the Project and allow Wythe County to withdraw from the Participation Agreement for the Project.

The Honorable Mayor and Members
of Roanoke City Council
September 4, 2001

Recommended Action:

Approve the provisions of the Agreement for Project Based Financing by Virginia's First Regional Industrial Facility Authority and an amendment to the New River Valley Commerce Park Project Participation Agreement as mentioned above and as contained in the two documents attached; and authorize the Mayor and the City Clerk to execute such documents or ones that are substantially similar thereto, in a form approved by the City Attorney.

Respectfully submitted,

William D. Bestpitch
City's Representative
Virginia's First Regional Industrial
Facility Authority

Attachments:

c: James D. Grisso, Director of Finance
William M. Hackworth, City Attorney
Mary F. Parker, City Clerk
Elizabeth A. Neu, City's representative, Virginia's First Regional Industrial
Facility Authority

September 4, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Contract Award
Ballfield Lighting Replacement

This project consists of the replacement of the existing lighting system for seven City park softball/baseball fields (Huff Lane Park – Fields 1 and 2, Strauss Park, Westside Ballfield – Field 1, Garden City Park, Norwich Park, Jackson Park and Preston Park).

After proper advertisement, three bids were received on Tuesday, July 24, 2001 with Hager Electric, LLC, 5217 Dominion Drive, Dublin, Virginia 24084, submitting the low bid in the amount of \$436,281.48 (which consists of \$429,499.00 for the Base Bid and \$6,782.48 for Additive Bid Item No. 1 for the installation of the lighting system and equipment at Preston Park – Field 2). The construction time was specified as one hundred seventy (170) consecutive calendar days.

Funding is available in account number 008-620-9736. Total funding required for the project is \$477,000.00. Additional funding in excess of the contract amount will be used for miscellaneous project expenses including advertising, printing, testing services, minor variations in bid quantities and unforeseen project expenses.

Recommended Action:

Accept the above bid and authorize the City Manager to execute a contract for the above work with Hager Electric, LLC in the amount of \$436,281.48 (which consists of \$429,499.00 for the Base Bid and \$6,782.48 for Additive Bid Item No. 1 for the installation of the lighting system and equipment at Preston Park – Field 2) with 170 consecutive calendar days of contract time, and reject all other bids.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB/TWK/bls

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
D. Darwin Roupe, Director of General Services

#CM01-00191

BALLFIELD LIGHTING REPLACEMENT
Huff Lane Park - Field 1 & 2, Strauss Park, Westside Ballfield, Garden City Park, Norwich Park,
Jackson Park, and Preston Park
Bid No. 01-07-02
Tuesday, July 24, 2001 2:00 pm

<i>General Contractor (Bidder)</i>	<i>Addendum 1</i>	<i>Base Bid</i>	<i>Add Alternate 1</i>
Armstrong Electric Co., Inc.	Yes	\$ 589,000.00	\$ 11,670.00
Triangle Electric Corporation	Yes	\$ 570,000.00	\$ 28,000.00
Hager Electric, LLC	Yes	\$ 429,499.00	\$ 6782.48

Notes:

September 4, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Enhancements to Code Enforcement

Background:

In May 2001, a new Department of Housing and Neighborhood Services was established in response to various neighborhood concerns. The new department budget was established in July 2001 and operations for housing, building maintenance code, and weeds were transferred to the new department. Since that time, additional changes to improve code enforcement have been pursued. Specifically, inspection operations for zoning and junk cars are recommended to be transferred to the new department to facilitate cross training for inspectors and improved efficiency in the field.

To accomplish this administrative change, funds allocated for these operations need to be transferred from the Department of Planning Building and Development's budget into the Department of Housing and Neighborhood Services' budget to cover personnel and operating costs for these functions.

Another improvement in code enforcement is also being recommended at this time. Currently, three building maintenance code inspectors and a clerical position are funded from the Housing and Urban Development (HUD), Community Development Block Grant (CDBG) budget. This funding method limits the effectiveness of the inspectors since they can only inspect properties in areas approved by HUD as areas of predominately low and moderate income. City Council was advised during FY 2001-02 budget study that these positions would be funded in the General Fund during FY 2002--03. However, funding of these positions in the General Fund is being recommended now to allow the inspectors to be used more effectively in inspecting all properties, not just those in areas of predominately low and moderate income. This change is being made in concert with the changes mentioned previously to allow maximum flexibility, cross training, and productivity of our inspection personnel in enforcing the various codes of the city. The \$150,143 in CDBG funds previously

appropriated for Code Enforcement will be made available for other CDBG-eligible activities during the current year or carried over to the next budgeting cycle.

Recommended Action:

Approve the attached budget ordinance to make the following appropriations:

1. Transfer funds totaling \$169,562 from the Department of Planning Building and Development to the Department of Housing and Neighborhood Services for four zoning inspector positions and related operating expense (see Attachment A).
2. Transfer funds totaling \$80,996 from the Contingency account no. 001 300 9410 2199 to the Department of Housing and Neighborhood Services (see Attachment B).
3. Increase the revenue estimate in State Aid to be received for libraries by \$69,147, due to aid to be received in excess of original estimate. Appropriate this amount to accounts to be designated by the Director of Finance for the Department of Housing and Neighborhood Services (See Attachment B).

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:mpf

Attachment

c: James D. Grisso, Director of Finance
William M. Hackworth, City Attorney
Rolanda Johnson, Assistant City Manager for Community Development
Mary F. Parker, City Clerk

#CM01-00186

September 4, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Virginia Commission for the
Arts – Local Government Challenge Grant

Background:

Notification has been received from the Commonwealth of Virginia Commission for the Arts that a \$5,000 Local Government Challenge Grant has been awarded to Roanoke. Application for the grant was made at the request of the Arts Council of Roanoke Valley, Roanoke Symphony Orchestra, Mill Mountain Theatre, and Opera Roanoke.

In order to receive these funds, the Commission must obtain written confirmation that local tax revenue dollars will be used to match or exceed the amount of the grant. For Fiscal Year 2001-02, the organizations listed previously will receive local tax dollar funding through the Cultural Services committee in the amounts shown below:

- | | |
|----------------------------------|----------|
| • Arts Council of Roanoke Valley | \$11,500 |
| • Roanoke Symphony Orchestra | 21,500 |
| • Mill Mountain Theatre | 9,500 |
| • Opera Roanoke | 6,272 |

Recommended Action(s):

Adopt the attached resolution authorizing the acceptance of this grant, appropriate funds to an account to be created by the Director of Finance in the Grant Fund entitled "Challenge Grant FY 02", and establish a revenue estimate of \$5,000. The grant funds will then be distributed to the four sponsoring agencies in the amount of \$1,250 each.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:mds
Attachment

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance

#CM01-00190

September 4, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Contract Award
New Ethylene Propylene Diene
Monomer (EPDM) Roof and
Insulation
Roof Level 4, Phase 3
Public Works Service Center

This project consists of the pressure cleaning of the present standing seam metal roof, the installation of insulation and a new 60 mil EPDM adhered roof membrane. This is the last area of the Public Works Service Center to be re-roofed.

After proper advertisement, seven bids were received on Wednesday, August 8, 2001 with Consolidated Industrial Roofing, Inc., 2011 Cook Drive, Salem, Virginia 24153, submitting the low bid in the amount of \$83,750. The construction time was specified as sixty (60) consecutive calendar days.

Funding is available in Facilities Management account number 001-440-4330-3057. Total funding required for the project is \$88,000.00. Additional funding in excess of the contract amount will be used for miscellaneous project expenses including advertising, printing, testing services, minor variations in bid quantities and unforeseen project expenses.

Recommended Action:

Accept the above bid and authorize the City Manager to execute a contract for the above work with Consolidated Industrial Roofing, Inc. in the amount of \$83,750 with 60 consecutive calendar days of contract time, and reject all other bids.

Transfer \$88,000 from Facilities Management account number 001-440-4330-3057 to a new capital account entitled "Public Works Service Center New Roof Level 4".

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB/LBC/bls

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
D. Darwin Roupe, Director of General Services

#CM01-00194

TABULATION OF BIDS

**NEW EPDM ROOF AND INSULATION
ROOF LEVEL 4 - PHASE 3
PUBLIC WORKS SERVICE CENTER
BID NO. 01-07-03**

Bids were opened by Robert L. White, Manager, Purchasing Department, on Wednesday, August 8, 2001, at 2:00 p.m.

BIDDER	LUMP SUM
Consolidated Industrial Roofing, Inc.	\$83,750.00
Melvin T. Morgan Roofing & Sheet Metal Company, Inc.	\$85,767.00
Blankenship Roofing	\$86,608.00
John T. Morgan Sheet Metal Company, Inc.	\$89,323.00
A. S. Pugh of Roanoke	\$91,564.00
Frank Kerby & Sons	\$94,800.00
AAR of North Carolina	\$95,285.00

Office of the City Engineer
Roanoke, Virginia
September 4, 2001

September 4, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Contract Award
Trevino Drive Storm Drainage
Project

There is an existing drainage easement located at the back of the properties in the 1100 and 1200 blocks of Trevino Drive that was created with the Monterey Hills Subdivision Map dated July 21, 1972. This drainage easement began as a small ditch, however, due to years of erosion, this ditch is now 5' to 6' in depth and continues to increase in size. Construction plans have been completed to install approximately 1,160 feet of gabion baskets and place riprap on the bottom of the channel beginning at 1121 Trevino Drive and ending at 1247 Trevino Drive.

After proper advertisement, six bids were received on Monday, August 13, 2001 with Merle Callinder, t/a Callinder's General Construction, 140 Mill Lane, Lynchburg, Virginia 24503, submitting the low bid in the amount of \$167,901.80. The construction time was specified as one hundred twenty (120) consecutive calendar days.

Funding in the amount of \$193,100 is needed for the project. The amount of \$155,207 is available in Public Improvement Bond Series 1996, account number 008-052-9701-9176, and the amount of \$37,893 is available in Public Improvement Bond Series 1999, account number 008-052-9709-9176.

Additional funding in excess of the contract amount will be used for miscellaneous project expenses including advertising, print, test services, minor variation in bid quantities and unforeseen project expenses.

Recommended Action:

Accept the above bid and authorize the City Manager to execute a contract for the above work with Merle Callinder, t/a Callinder's General Construction, in the amount of \$167,901.80 with 120 consecutive calendar days to construct the Trevino Drive Storm Drainage Project, and reject all other bids.

The Honorable Mayor and Members of Council
September 4, 2001
Page 2

Transfer \$155,207 from Public Improvement Bond Series 1996, account number 008-052-9701-9176, and \$37,893 from Public Improvement Bond Series 1999, account number 008-052-9709-9176, to an account to be established entitled "Trevino Drive Storm Drainage Project".

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB/CAB/bls

Attachment

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Barry L. Key, Director of Management and Budget
D. Darwin Roupe, Director of General Services

#CM01-00199

TABULATION OF BIDS

**TREVINO DRIVE STORM DRAINAGE PROJECT
BID NO. 01-07-72**

Bids were opened by Robert L. White, Manager, Purchasing Department, on Monday, August 13, 2001, at 2:00 p.m.

BIDDER	TOTAL PRICE
Merle Callinder, t/a Callinder's General Construction	\$167,901.80
H. & S. Construction Company	\$177,949.00
D.A. Brown, Inc.	\$189,385.00
L & S Plumbing & Excavating	\$208,990.00
E.C. Pace Company	\$306,160.00
Atkins Excavating	\$316,463.00

Office of the City Engineer
Roanoke, Virginia
September 4, 2001

September 4, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Roanoke Centre for Industry and
Technology
VDOT Industrial Access Funds

The amount of \$187,979.00 was appropriated as a receivable from VDOT Industrial Access funds to account number 008-052-9632 for the Roanoke Centre for Industry and Technology (RCIT) Infrastructure Extension project.

Since the appropriation, the above referenced project has been completed, and total funds received were \$162,839.25. Therefore, the remaining funds must be de-appropriated. These funds have neither been received by the City nor used on any project. Thus, de-appropriation is the only required action.

Recommended Action:

City Council de-appropriate \$25,140.00 in account 008-052-9632 and reduce the associated accounts receivable of the same.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB/PCS/bls

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance

#CM01-00196

September 4, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Civic Center Expansion and
Renovation
Project – Phase I
Proposal No. 01-04-72

Several improvements are needed to existing Civic Center facilities. These improvements will also address issues in the Arena License Agreement with Arena Ventures, LLC to accommodate the Roanoke Dazzle. This Civic Center Expansion and Renovation Project includes office space, locker room renovations, lighting improvements, weight room, meeting rooms and basketball floor. The total project cost for all of the needed improvements is approximately \$3 million, which will be funded through the sale of General Obligation Public Improvement Bonds.

Following public advertisement, the City received qualification proposals from four architectural firms. These firms were, Hayes Large Architects, MarshWitt Associates, Pape, Cole and Associates, and Rosser, International, Inc.

A selection committee composed of Jim Evans, Director of Civic Facilities, Christine Powell, Manager of Civic Facilities, Philip Schirmer, City Engineer, and George Snead, Assistant City Manager for Operations, selected Rosser International, Inc., 524 West Peachtree Street,

N.W., Atlanta, Georgia 30308, as best qualified to provide design services for the proposed improvements.

City staff has negotiated an acceptable agreement for the above work with Rosser International, Inc. for a lump sum fee not to exceed \$262,500. Funding for the agreement is available in Civic Center Capital Outlay, account number 005-550-2108-9015. Funding in the total amount of \$285,000 is needed for the project. Additional funding in excess of the contract amount is needed to support advertising expenses, testing and other unforeseen project expenses.

Recommended Action:

Authorize the City Manager to execute a Contract for Consultant Services for the above work with Rosser International, Inc. in the amount of \$262,500. Appropriate \$285,000 from Civic Center Capital Outlay, account number 005-550-2108-9015, to a new capital account entitled "Civic Center Expansion and Renovation - Phase I". Adopt a resolution indicating the City's intent to reimburse itself from the proceeds of General Obligation Public Improvement Bonds to be issued in the future.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB/PCS/bls

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Barry L. Key, Director of Management and Budget

#CM01-00200

September 4, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable W. Alvin Hudson, Council Member
Honorable William D. Bestpitch, Council Member
Honorable William White, Sr., Council Member
Honorable C. Nelson Harris, Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Read Mountain

Background:

At Council's meeting on August 20, 2001, Dr. William N. Gordge addressed City Council on behalf of the Read Mountain Alliance. He advised that Read Mountain was a prominent valley landmark that included undeveloped pristine forest. He noted that in addition to scenic beauty, Read Mountain provided diverse recreational opportunities and potential regional greenway connections. He requested that the City of Roanoke join with other localities in supporting the efforts to preserve Read Mountain.

Considerations:

In 1999, the City of Roanoke purchased approximately 56 acres at the base of Read Mountain for expansion of the Roanoke Centre for Industry and Technology (RCIT) (Oppenheimer property). When it is developed, this property will be graded in accordance with a proffered development plan that provides for landscape buffering and retention of vegetation between the proposed industrial sites and the residential areas along Read Mountain Road.

City staff has discussed the goals of the Read Mountain and the plans for the expansion of RCIT with Mr. Ron Crawford, a sponsor and leader for the Alliance. Mr. Crawford had indicated that his interest is in protecting the top of the mountain and that the plans for RCIT would not be adversely affected by the Alliance's preservation efforts. He noted, further, that he would like to pursue a greenway connection from Read Mountain to RCIT and the Tinker Creek Greenway in the future.

Also, city staff asked Mr. Crawford about the support of Read Mountain property owners for the group's preservation efforts. He advised that of the fifteen major property owners on the mountain, he had spoken with twelve of the owners and that they were all supportive, including the three primary property owners on the mountaintop.

At the request of City Council, staff spoke with the Botetourt County Administrator and an Assistant County Administrator for Roanoke County regarding the City of Roanoke's interest in supporting the preservation efforts for Read Mountain. Both administrators welcomed the City's interest and advised that they supported the preservation efforts as set forth in their resolutions.

A draft resolution has been prepared for Council's adoption, which is patterned after those adopted by Roanoke County, Botetourt County, and the Western Virginia Land Trust.

Recommendation:

City Council adopt a resolution supporting the preservation of Read Mountain and the efforts of the Read Mountain Alliance.

Respectfully submitted,

Darlene L. Burcham
City Manager

c: Mary F. Parker, City Clerk
William Hackworth, City Attorney
Jim Grisso, Director of Finance

September 4, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Capital Maintenance and
Equipment Replacement Program
(CMERP)

Background:

Section 2-189. of the City Code establishes a reserve from the year-end general fund balance for the funding of capital improvements and capital maintenance and equipment replacement. The amount reserved from the undesignated fund balance is calculated as ten (10) percent of total general fund appropriations less any sums paid for general fund debt service during the fiscal year.

The Fiscal Year 2000-01 general fund balance designated for CMERP is \$5,454,530. In addition, \$116,400 remains unspent from the Fiscal Year 1999-00 CMERP, resulting in a total available for appropriation of \$5,570,930. CMERP funding requests from general fund departments totaled \$6.9 million, and an additional \$2.3 million was requested by the Information Technology Committee to fully fund the Information Technology Strategic Plan previously forwarded to City Council.

Considerations:

The recommended CMERP spending plan addresses a number of key organization requirements:

- ? Vehicular equipment replacement and acquisition necessary to facilitate the effective implementation of recent service delivery changes in Solid Waste Management, including an expanded recycling program;
- ? Capital improvements and vehicular equipment needed in support of the realignment of service delivery responsibilities in the departments of Parks and Grounds Maintenance and Streets and Traffic to provide services more effectively and efficiently;
- ? Implementation of the Police Take-Home Vehicle Program as discussed with Council during the Fiscal Year 2001-02 budget development process;
- ? Provision of necessary employee safety equipment in the Fire-EMS Department and acquisition of more sophisticated equipment to enhance emergency medical service and firefighting capabilities;
- ? Paving of all streets in priority category "A", a total of 68 lane-miles of streets;
- ? Acquisition of specialized equipment necessary to adequately maintain greenways;
- ? Funding of critical facilities maintenance requirements determined through the Building Assessment Program; and
- ? Provision of additional funding to "cash fund" priority capital improvements to the extent possible in lieu of long-term debt financing;
- ? Lease financing of office furnishings for the new Human Services building in lieu of cash funding to more closely align with the likely timeframe in which the Commonwealth of Virginia would partially reimburse these expenses. Appropriation for the lease payment will take place in a later report to Council.

A list of the CMERP funding recommendations is attached (Attachment 1). Three of the items requested through the CMERP process totaling \$216,800 will be funded from the remaining portion of lease-financing arranged for equipment needed for the new Police Building. In addition, all vehicles considered critical for replacement by the Fleet Management Division are listed in Attachment 2.

Recommended Action:

City Council concur with the CMERP funding recommendations totaling \$5,570,930 and appropriate \$3,082,459 to the specified accounts listed in Attachment 1. Transfer funding of \$216,800 in the Police Building Capital Project Fund account (008-052-9563-9035) to capital accounts to be established by the Director of Finance.

Respectfully submitted,

Darlene L. Burcham
City Manager

Attachments: 2

DLB:acm

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Barry L. Key, Director of Management and Budget

CM01-00204

Attachment 1

Capital Maintenance and Equipment Replacement Program (CMERP)

Recommended Expenditures - Justification

Office Furniture and Equipment - \$206,671

1. **Health Department – Modular Equipment - \$61,289-** A lease/purchase payment is needed for modular equipment to be placed in the renovated Human Services facility. The lease will fully fund the 91 units requested by the Health Department.
2. **Libraries – Chairs - \$3,200 – (001-650-7310-9132)** - Eight (8) chairs are needed for the Raleigh Court Library. The original chairs are more than 20 years old.
3. **Social Services – Modular workstations and furniture - \$136,182-** A lease/purchase payment is needed for 195 modular workstations and furniture to be placed in the renovated Human Services facility. This includes furnishings for the conference rooms and reception area.
4. **Youth & Family Services – Modular workstations - \$6,000 – (035-630-8839-9132)**- Two (2) modular work stations, fully adjustable and ergonomically correct, are needed for the new offices located in the Human Services facility.

Equipment - \$244,787

1. **Fire-EMS:**
 - a. **Self-Contained Breathing Apparatus (SCBA) Air Bottles - \$10,920 – (001-520-3213-9132)** - Over the next two to three years, current wear-dated air bottles must be replaced with new-style bottles that have an unlimited life span. The approved funding will replace 21 units.
 - b. **Integrated PASS Alarm Devices (IPD) - \$20,000 – (001-520-3213-9132)** – This amount constitutes phase three of five phases to meet National Fire Protection Agency firefighter safety equipment standards. These units are attached to air packs and emit a loud shrill signal if a firefighter goes down in a fire.

c. **Automatic External Defibrillators (AED) - \$14,000 – (001-520-3521-9132)** – This funding will provide 50% of the cost for 8 AED's needed to comply with Virginia Rules and Regulations governing Emergency Management Services. A grant is anticipated to provide the remaining funding necessary.

d. **Forest/Brush Fire-fighting Equipment - \$12,000 – (001-520-3213-9132)** - This purchase will assist in providing for a skid style ready-to-go combination of pump, water and hose for quick deployment in the event of a forest/brush fire.

2. **Parks and Grounds:**

a. **Portable radios and locking cabinet - \$14,100 – (001-620-4340-9132)** – The approved funding will provide for 16 hand held portable radios as well as a locking cabinet for radios and charger cradles. The radios are needed for service delivery units that currently do not have radios to enhance operational coordination and efficiency.

b. **Equipment lift for Mower Shop - \$7,500 – (001-620-4340-9132)** – This funding will provide for an equipment lift which will improve the efficiency of mower repair operations and enhance employee safety.

3. **Police Department - Emergency Response Police Vehicle Equipment used in Police Vehicles (for take-home car program) - \$44,975 – (001-640-3113-9132)** - This approved funding will be used to provide protective screens, siren speakers, speaker control heads, light control boxes, light bar globes, rolatapes, radios, transmitters, light bars, K-9 transport unit, transmitter microphones and trunk storage units.

4. **Recreation:**

a. **Fitness Equipment for Breckinridge & Wilson - \$18,000 – (001-620-7110-9132)** – This funding will be used to replace worn fitness equipment (treadmills) at two facilities. The equipment has received an unexpectedly high rate of usage.

b. **Bicycles, trailer and related equipment - \$6,800 – (001-620-7110-9132)**– This funding will be used to provide equipment necessary to offer specific bicycle programs, summer camps and various partnerships with the community in providing after-school programs at the recreation

centers.

5. **Solid Waste Management:**

a. **Additional automated containers for solid waste and recycling containers - \$43,592 – (001-530-4210-9132)** – This funding will provide for an adequate supply of containers and bins for residents through the next fiscal year.

b. **Victor Stanley trash containers (10) - \$6,900 – (001-530-4210-9132)** – Approved funding will be used to purchase containers to be used to increase the number of containers in the Central Business District.

6. **Snow Removal – Snow spreaders and Snow plows - \$46,000 – (001-530-4140-9132)** – This funding will be utilized to purchase 4 salt spreaders and 4 snow plows for snow removal._____

Capital Maintenance - \$1,681,000

1. **Parks & Grounds- Mill Mountain Shelter - \$80,000 – (008-620-9774-9003)**

– This funding will be used to upgrade the facility, construct a handicap-accessible restroom/concession building with additional storage, provide drinking water access, and landscaping around the picnic shelter at Mill Mountain. This project is partially funded with a donation from Pepsi.

2. **City-Wide Tree Replacements - \$20,000 – (001-620-4340-9132)** –

This funding will allow for the replacements of trees throughout the city.

3. **Planning, Building and Development:**

a. **Layout and printing of Comprehensive Plan and Executive Summary for distribution - \$80,000 – (008-052-9621-9003)** - This updated plan will be distributed to administrators, officials, community leaders and citizens.

b. **Updating of zoning ordinance - \$100,000 – (008-610-9901-9003)** - Following the adoption of the comprehensive plan, revisions to the zoning ordinance will be needed to provide the development and land use tools to implement the plan's recommendations. The last major rewrite of the zoning ordinance was in 1987. Funding will provide for professional assistance needed to update the plan.

- b. **Municipal South 1st Floor Renovations - \$22,000 – (008-530-9775-9003)** – Funding for these renovations is necessary to facilitate effective and efficient operation of the departments now occupying the space after organizational restructuring.
- 4. **Police Department - Police Memorial - \$70,000 – (008-640-9902-9003)** – This funding will be utilized to fund a memorial for Roanoke City police officers.
- 5. **Public Works - Engineering Division:**
 - a. **Public Works Service Center Upgrades - Phase 1 - \$450,000 – (008-530-9776-9003)** - This upgrade will include necessary modifications of the wash house facility to accommodate the quick service bay operation, renovations necessary to house the relocation of Street Sweeping and Grounds Maintenance, and organizational changes in Traffic Engineering.
 - b. **Study of Municipal North office use - \$50,000 – (008-530-9777-9003)** - This study will ensure that space allocation is effective and efficient prior to renovations. This space will be re-used after Social Services relocates to the new Human Services building.
 - c. **Renovate Engineering suite- \$50,000 – (008-530-9778-9003)** - Following anticipated organizational changes, this funding will be used to improve space allocation in the Engineering Department suite and includes funding for anticipated asbestos abatement.
 - d. **Century Square Upgrades - Sister Cities - \$78,000 – (008-530-9779-9003)** - These upgrades will include lighting, modification of a steel trellis, foundation for artwork and purchase of new seating, benches and tables.
 - e. **Maintenance on Williamson Road Parking Garage - \$32,000 – (007-540-8205-9132)** - This funding will allow for removal of old paint, surface preparation, and painting on five levels.
- 7. **Recreation:**

- a. **Grandin Court Dance Floor - \$9,000 – (001-620-7110-9132)**
– Grandin Court Recreation Center is the most popular class site and offers over 40 classes per year for youth and adults. This funding will allow for the replacement of the tile floor in the dance room and asbestos abatement. This will ensure the safety of all participants as well as enhance attendance and revenues.
 - b. **Mountain View Repairs and Renovations - \$20,000 – (008-620-9750-9003)** - This work will include the upgrade of the kitchen and installation of sound barriers on the first floor. This facility is heavily used for rentals and community organization meeting space and is in need of a facelift.
8. **Street Paving - Repave various streets with A rating but not included in current year's paving program - \$600,000 – (001-530-4120-9132)** - Funds will provide asphalt, tack, manholes and planning to repair various A-rated streets that could not be included in the current year paving program. Approximately 68 lane miles will be paved this fiscal year in total.
 9. **Greenway signage - \$20,000 – (008-620-9759-9003)** - This funding will be utilized to provide adequate signage on city greenways.

Fleet Replacement - \$270,000 - (017-770-2642-9132)

The Fleet Replacement program recommends the replacement/acquisition of 54 vehicles valued at \$2,544,500 through a combination of cash funding and lease financing. These vehicles comprise the “high priority replacement” list developed by the Division of Fleet Management. 14 vehicles valued at \$1,293,500 would be acquired via a lease/purchase arrangement at an annual cost of \$290,395. CMERP funds in the amount of \$270,000 and Fleet Management funds designated for fleet replacement in the amount of \$934,605 will be combined with Fleet Management Retained Earnings in the amount of \$46,395 to cash fund 40 vehicles totaling \$1,251,000.

Vehicles to be replaced are selected based on maintenance records and are generally replaced at the point where further maintenance investment exceeds the value of the equipment. A total of 46 vehicles will be replaced. In addition to the replacement vehicles, 8 new vehicles will be purchased. Six of the vehicles are specifically for the Police Department Vehicle Take-Home Program. A detailed list of all fleet purchases is attached. (See Attachment 2)

Technology Improvements - \$2,291,000

Funding will be used to provide for a variety of technology-related projects that have been prioritized by the Information Technology Committee and shared with City Council in a previous communication. CMERP funding in the amount of \$2,291,000 will be combined with the Technology Fund Retained Earnings of \$500,000, for a total budget of \$2,791,000. This amount will fully fund the recommended technology initiatives for the next fiscal year. A separate report will appropriate this funding.

All Other - \$877,472

1. **Economic Development:**
 - a. **Incentive Funds - Business Attraction and Retention - \$50,000 – (008-310-9735-9003)** – This funding will be used to provide incentives for business attraction and retention.
 - b. **Enterprise Zone - Local Incentives - \$80,000 – (008-310-9736-9003)** – Approved funding will be used to provide incentives for local businesses in the Enterprise Zone.
2. **Camp Virginia Jaycees - \$10,000 – (001-300-7220-3693)** - This is the second of five installments of pledge payments given to the Dare to Care Capital Campaign. This funding will be used to serve persons with mental handicaps.
3. **Mill Mountain Zoo - Water, Electric work - \$20,000 – (001-310-5221-3701)** - This funding will provide resources for the work necessary for the completion of the new administrative offices.
4. **Solid Waste Management - Proposed vegetative waste compost site - \$40,000 – (008-530-9780-9003)** – This funding will provide the necessary initial start-up cost for a vegetative waste compost site as specified in the department's strategic business plan.
5. **Virginia Western Community College - \$50,855 – (001-300-7220-3710)** – This funding will serve as one of two installments and will provide for the site development costs for the construction of a facilities management building on the college campus.

6. **Capital Maintenance - \$250,000 – (001-440-4330-9132)** - Funding will serve as a source for cash funding of priority capital maintenance projects as determined through the Building Assessment Program now underway.

7. **Capital Improvement - \$376,617 – (008-052-9575-9173)** – This funding will serve as a source for cash funding of capital projects.

Total CMERP Expenditures\$ 5,570,930

The following items, totaling \$216,800, are to be purchased out of the remaining lease purchase money that is no longer needed for the police building project:

1. **Thermal Imaging Cameras - \$45,000 – (008-640-9903-9003)** – This funding will provide for the acquisition of 3 thermal imaging cameras which can be used to locate victims inside a structure fire and to detect hot-spots inside buildings to assist in extinguishments.

2. **Greenways Maintenance Equipment - \$136,800 – (008-620-9758-9003)** – This funding will provide for the acquisition of equipment to maintain a very high quality trail corridor. This equipment will include a Toro Mower, New Holland Side Hog Mower, Pick-Up truck, Spray Rig, Trailer, Pole Pruners, Back Pack Blower, String Trimmers and a Side Discharge Gravel Dispenser.

3. **Anti-Icing Distribution System - \$35,000 – (008-530-9781-9003)** – This funding will be utilized to purchase an anti-icing distribution system which will include a bulk storage and mobile distributor. This anti-icing system has become a common element of snow removal operations to treat bridges, problem spots and downtown areas in advance of snow and ice events.

September 4, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of Council:

Subject:

Fund Appropriations from Capital Maintenance
and Equipment Replacement Program and Prior
Year Retained Earnings for Technology Needs

Background:

In a report dated September 4, 2001, City Council is being asked to approve a recommendation that \$2,291,000 of the Fiscal Year 2000-01 General Fund balance designated for the Capital Maintenance and Equipment Replacement Program be allocated for technology needs. In addition, the Department of Technology, an internal service fund, has retained earnings totaling \$500,000 that can be allocated, for a total of \$2,791,000.

The Information Technology Committee (ITC) has completed an Information Technology Strategic Plan for the City and has developed a list of priority projects and equipment needs that have been determined to be supportive in meeting the goals of this plan. Attachment 1 provides supporting detail and cost information for each of these needs totaling \$2,791,000. All items listed will be purchased in accordance with the requirements as set forth in Chapter 23.1, Procurement, of the Code of the City of Roanoke (1979), as amended.

Considerations:

The total funding request of \$2,791,000 is available as follows:

- Current Year Capital Maintenance and Equipment Replacement \$2,291,000

- · Department of Technology, Prior Year Retained Earnings Account \$ 500,000

Recommended Action(s):

Adopt the attached budget ordinance to appropriate funding to new or existing project accounts to be established by the Director of Finance to support strategic technology needs and enhancements.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:JS

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Joe D. Slone, Director, Department of Technology
Barry L. Key, Director, OMB
Robert L. White, Manager, Purchasing

#CM01-00193

September 4, 2001

The Honorable Ralph K. Smith, Mayor
The Honorable William Carder, Vice-Mayor
The Honorable William Bestpitch, Council Member
The Honorable Nelson Harris, Council Member
The Honorable Alvin Hudson, Council Member
The Honorable William White, Council Member
The Honorable Linda Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Establishing parking rates for the
Gainsboro parking garage and surface
parking area

The City of Roanoke currently owns or controls five parking garages and several surface parking lots. Current parking rates for these facilities were established by Council on May 1, 2000 by Resolution 34770-050100, with the fees for the Tower Parking Garage being amended by Resolution No. 35025-082100. Since that date, construction has been completed on the City-owned surface parking area located north of Centre Avenue, NW, and adjacent to the Roanoke Higher Education Center. The parking garage located at 25 Shenandoah Avenue is currently under construction with an anticipated opening of December 1, 2001. These two parking facilities will serve the Roanoke Higher Education Center, the Shenandoah Crossing apartments, the Roanoke Neighborhood Development Corporation's future building project and the general public. The suggested parking rates for these two facilities, as shown on Attachment A to this letter, were coordinated with these stakeholders by former Assistant City Manager, Kit Kiser, and now need to be adopted by Council. The monthly rate for designated reserved parking spaces in the parking garage, which may be amended from time to time, will cover the spaces to be provided for the Shenandoah Crossing apartments. Such rates will be subject to the same or similar terms as those provided for the other parking facilities mentioned above.

Recommendation:

Establish parking fees for the Gainsboro parking garage and the Gainsboro surface parking area by adopting the parking rates as set forth in Attachment A to this letter and amend the Fee Compendium to reflect the above fees and charges, effective September 4, 2001, with such rates to be subject to similar terms as provided for the other parking facilities mentioned above.

Respectfully submitted,

Darlene L. Burcham
City Manager

dlb/ean

c: Mary F. Parker, City Clerk
James F. Grisso, Director of Finance
William M. Hackworth, City Attorney
Deborah J. Moses, Parking Coordinator
Elizabeth A. Neu, Director of Economic Development

CM01-00212

Attachment A to Council Letter dated September 4, 2001, CM-01-00212.

Establishing Parking Rates for the Gainsboro parking garage and
the Gainsboro surface parking area facilities.

Parking Rates for Gainsboro parking garage and Gainsboro surface parking area facilities				
Parking fees are as set forth below and are on a space available basis with no guarantee of the availability of a space, except for reserved monthly spaces which will be assigned and available by permit.				
The parking rates below will be charged between 7 a.m. and 4 p.m., Monday - Friday Parking at other times during regular operating hours will be free.				
Location	Monthly Permit for Designated Reserved Parking Space (Decal or Hang Tag)	Hourly	Max Daily	Permit to Park (decal hang tag)
Gainsboro Parking Garage	\$50.00/month	\$0.50	\$4.00	\$10.00/week \$35.00/month
Gainsboro Surface Parking Area	\$50.00/month	\$0.50	\$4.00	\$10.00/week \$35.00/month

September 4, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Contract Award
Eureka Recreation Center Roof
Replacement

This project consists of the replacement of the roof at Eureka Recreation Center with a new Ethylene Propylene Diene Monomer (EPDM) adhered roof on the high roof above the gymnasium and an EPDM ballasted roof on the low roof above the administrative offices.

After proper advertisement, six bids were received on Thursday, August 16, 2001 with John T. Morgan Sheet Metal Company, Incorporated, 1620 Sixth Street, N.E., Roanoke, Virginia 24012, submitting the low bid in the amount of \$93,354. The construction time was specified as sixty (60) consecutive calendar days.

Funding is available in Facilities Management account number 001-440-4330-3057. Total funding required for the project is \$98,000. Additional funding in excess of the contract amount will be used for miscellaneous project expenses including advertising, printing, testing services, minor variations in bid quantities and unforeseen project expenses.

Recommended Action:

Accept the above bid and authorize the City Manager to execute a contract for the above work with John T. Morgan Sheet Metal Company, Incorporated in the amount of \$93,354 with 60 consecutive calendar days of contract time, and reject all other bids.

Transfer \$98,000 from Facilities Management account number 001-440-4330-3057 to the Capital Projects Fund where funding may be appropriated in a new capital account entitled "Eureka Recreation Center Roof Replacement".

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB/TWK/bls

Attachment

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
D. Darwin Roupe, Director of General Services

#CM01-00207

TABULATION OF BIDS

**EUREKA RECREATION CENTER
ROOF REPLACEMENT
BID NO. 01-07-51**

Bids were opened by Robert L. White, Manager, Purchasing Department, on Thursday, August 16, 2001, at 2:00 p.m.

BIDDER	ADD. I	ADD. II	ADD. III	BASE BID
John T. Morgan Sheet Metal Company, Incorporated	No	Yes	Yes	\$ 93,354
Consolidated Industrial Roofing, Inc.	Yes	Yes	Yes	\$ 99,551
A.S. Pugh of Roanoke, Inc.	Yes	Yes	Yes	\$ 99,990
Melvin T. Morgan Roofing & Sheet Metal Co., Inc.	Yes	Yes	Yes	\$103,774
Carolina Roofing, Inc.	Yes	Yes	Yes	\$113,950
Blankenship Roofing Co., Inc.	Yes	Yes	Yes	\$125,634

Office of the City Engineer
Roanoke, Virginia
September 17, 2001

September 4, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable W. Alvin Hudson, Council Member
Honorable William D. Bestpitch, Council Member
Honorable William White, Sr., Council Member
Honorable C. Nelson Harris, Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Fire and Emergency Medical Agreement to
Co-operate and Jointly Co-Staff Roanoke
County Clearbrook Station

Background:

The City and Roanoke County currently have reciprocal fire and rescue agreements that provide for cross-jurisdictional emergency response. Both jurisdictions have identified the need to further those cooperative efforts in order to provide a higher level of fire and rescue by co-staffing the Roanoke County Clearbrook Station.

The City benefits by significantly reducing response times to the 220 South/Southern Hills section of the city. Roanoke County benefits by extending their hours of coverage with paid staff. Co-staffing the Clearbrook Station achieves enhanced service delivery without adding any additional resources. City personnel will be reassigned to meet the obligation of the six (6) positions identified in the agreement.

Recommended Action:

Authorize the City Manager to execute the Fire and Emergency Medical Agreement to cooperatively and jointly co-staff Roanoke County Clearbrook

Station in substantially the same form as attached hereto; such agreement to be approved by the City Attorney.

Sincerely,

Darlene L. Burcham
City Manager

DLB/JG

Attachments

c: James D. Grisso, Director of Finance
William M. Hackworth, City Attorney
Mary F. Parker, City Clerk
James Grigsby, Fire-EMS Chief

CM01-00205

**FIRE AND EMERGENCY MEDICAL AGREEMENT TO STAFF
ROANOKE COUNTY CLEARBROOK STATION**

THIS AGREEMENT made this ____ day of _____, 2001, by and between the **CITY OF ROANOKE**, a municipal corporation of the Commonwealth of Virginia (the **City**), and the **COUNTY OF ROANOKE**, a chartered county of the Commonwealth of Virginia (the **County**).

WITNESSETH:

WHEREAS, ' ' 27-2 and 27-23.9, Code of Virginia (1950), as amended, authorizes local governments to cooperate in the furnishing of fire and emergency medical response and related rescue issues, and ' 15.2-1300, Code of Virginia authorizes agreements for the joint exercise of powers by political subdivisions of the Commonwealth.

WHEREAS, the City and the County have determined that cooperatively and jointly staffing the station located at Clearbrook in Roanoke County to provide fire and emergency medical response and related rescue services across city and county jurisdictional lines will improve such service in the areas that can be served by such station.

WHEREAS, it is deemed to be mutually beneficial to the parties hereto to enter into an Agreement concerning the joint staffing of the Clearbrook Station with regards to fire and emergency medical response and related rescue services.

NOW, THEREFORE, in consideration of the mutual benefits to be derived from this Agreement, the parties hereto covenant and agree as follows:

1. The County will operate, maintain and control the Clearbrook Fire Station.
2. The County will provide and maintain at least one fire engine and one ambulance at the Clearbrook Station.
3. The County will assign a staff of twelve (12) full-time career positions to staff the equipment described in Paragraph 2. The City will assign six (6) full-time career positions to Clearbrook Station to staff the equipment described in Paragraph 2. The rank and skill levels of those assigned shall be agreed upon by the Fire Chiefs of the City and the County. The primary response for emergency incidents in the City will be by career personnel.
4. The County shall have jurisdiction over emergency calls within the County. The City shall have jurisdiction over such calls within the City.
5. The County will routinely respond with fire and emergency medical equipment and personnel for the City from the Clearbrook Station into the 220 South/Southern Hills area. Specific boundaries are to be determined and mutually agreed upon by the respective Fire Chiefs.
6. The County will provide working and living space at the station for City personnel assigned to Clearbrook Station.
7. City residents shall pay to the City the ambulance fee imposed by the City; for calls originating in the City; County residents shall pay to the County the ambulance fee imposed by the County for calls originating in the County.
8. The parties agree to develop and adopt operational, communication, dispatch, safety and medical protocols that meet

professional standards. All operational protocols are to be mutually agreed upon in writing by the Fire Chiefs of the City and the County.

9. All fire and emergency medical services and resource personnel, agents and other employees of the parties to this Agreement who are acting pursuant to this Agreement shall have the same powers, rights, privileges and immunities as provided by law in each jurisdiction while providing fire and emergency services.

10. The services performed and expenditures made under this Agreement shall be deemed to be for public and governmental purposes and all immunities from liability enjoyed by the County and the City and their fire/emergency medical services and resource personnel within its boundaries shall extend to its participation in this Agreement.

11. All pension, disability, workers= compensation, life and health insurance and other benefits to which fire/emergency medical services and rescue personnel are entitled shall be extended to the services performed by such personnel under this Agreement. Each party agrees that provisions of these benefits shall remain the responsibility of the respective employer of the individuals assigned to staff the Clearbrook Station.

12. Each party agrees that, in all activities undertaken pursuant to this Agreement, each party hereby waives any and all claims against the other party. The parties shall not be liable to each other for reimbursement for injuries to or death of personnel or damage to equipment incurred when providing services pursuant to this Agreement, including when going to or returning from another jurisdiction. Neither party shall be liable to the other for any other costs associated with or arising from the provision of services or the rendering of assistance under this Agreement, except as specifically provided under this Agreement.

13. Each party shall indemnify and save harmless the other party from all claims by third parties for personal injury and death or property damage which may arise from activities under this Agreement, to the extent permitted by law.

14. Administrative details and future unforeseen issues that may arise from activities associated with this Agreement shall be resolved by a mutually agreed upon solution of the respective Fire Chiefs. Any disagreement between the Fire Chiefs shall be resolved by the City Manager and County Administrator.

15. This Agreement shall be effective from January 1, 2002, until December 31, 2002. Thereafter, it shall automatically renew for additional terms of one (1) year, unless either party gives at least ninety (90) days prior written notice of termination to the other party.

WITNESS the following signatures and seals:

ATTEST:

CITY OF ROANOKE, VIRGINIA

Mary F. Parker, City Clerk

By _____
Darlene L. Burcham, City Manager

**ATTEST:
VIRGINIA**

COUNTY OF ROANOKE,

By _____
Mary H. Allen, Clerk
Administrator

Elmer C. Hodge, County

APPROVED AS TO FORM:

APPROVED AS TO FORM

City Attorney

County Attorney

APPROVED AS TO EXECUTION:

City Attorney

September 4, 2001

The Honorable Ralph K. Smith, Mayor
The Honorable William H. Carder, Vice Mayor
The Honorable William O. Bestpitch, Council Member
The Honorable C. Nelson Harris, Council Member
The Honorable W. Alvin Hudson, Jr., Council Member
The Honorable William White, Sr., Council Member
The Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

SUBJECT: July Financial Report

This financial report covers the first month of the 2001-2002 fiscal year. The following narrative discusses revenues and expenditures to date.

REVENUE

General Fund revenues reflect a decrease of 22.24% or \$225,000 compared to FY01. Reversal of year end accounting entries distorts the comparability of July's revenue. Comparability will be enhanced in future months' financial statements. Variances in specific categories of revenues are as follows:

General Property Taxes declined 11.29% or \$35,000. The decrease in personal property taxes is partially offset by an increase in delinquent real estate tax collections. The majority of property tax revenue will be received in future months as the taxes become due.

Other Local Taxes decreased 67.93% or \$641,000. Declines in electric utility consumer tax and cable television franchise tax are partially offset by an increase in telephone franchise tax. The fluctuations are due to timing differences and the reversal of year end accounting entries.

Permits, Fees and Licenses are up \$29,000 or 44.79% due to increases in building, electrical and heating inspection fees.

Fines and Forfeitures are below prior year collections by 7.57% or \$6,000. The decline is due to decreased collections of General District Court fines and parking ticket revenue.

Revenue from Use of Money and Property declined 34.51% or \$40,000. The majority of the decrease in this revenue category is due to a decrease in interest income resulting from lower average cash balances than in July 2000.

Grants-in-Aid Commonwealth increased 60.86% or \$475,000. Revenues in this category are negative for the month ended July 31 of both years due to the reversal of year end accounting entries that accrue income at June 30 for financial reporting purposes. As revenues are actually received, this category total becomes positive. Timing differences in the receipt of rolling stock tax and jail block grant revenue, account for the increase in this category.

Miscellaneous Revenue decreased \$14,000 or 71.40% due to timing differences in the receipt of miscellaneous revenue.

Internal Services declined \$2,000 or 7.79% due to slight decreases in engineering and street maintenance billings.

EXPENDITURES AND ENCUMBRANCES

General fund expenditures and encumbrances have increased 18.08% or \$2,634,000 since FY01. Variances in individual expenditure categories are discussed as follows:

Judicial Administration expenditures are up \$118,000 or 34.60%. Juvenile and Domestic Relations Court Services expenditures increased due to timing differences. Personal service expenditures of the Circuit Court Judges have also increased due to additional law clerk positions which were established during September of FY01.

Public Safety expenditures increased 10.71% or \$345,000. Communications expenditures rose due to payment of the City's portion of the annual maintenance agreement for the regional radio system. Emergency Medical Services expenditures are up due to a timing difference related to payment of the first installment for emergency medical services. Personal services costs of Fire Operations increased.

Public Works expenditures have increased 25.08% or \$910,000. Annual street paving costs are up due to more primary roads, which are more expensive to pave, being included in the contract. Parks and Grounds Maintenance expenditures increased due to the purchase of various park equipment. Building Maintenance expenditures increased due to library and courthouse renovation costs and repairs to two fire stations.

Health and Welfare expenditures declined 7.48% or \$86,000 as a result of timing differences in payment of Comprehensive Services Act expenditures and payments to Total Action Against Poverty.

Parks, Recreation and Cultural expenditures are up \$68,000 or 15.26%. Cultural Services Committee expenditures increased due to timing differences in payment of contributions. Recreation expenditures rose due to the purchase of various equipment.

Community Development expenditures increased 9.48% or \$33,000 due to the establishment of the Neighborhood Partnership department as part of the general fund. This department was included in the Grant Fund in prior years. Expenditures of the Citizen's Services Center also contributed to the increase. The Citizen's Service Center was included under the General Government category in the prior year.

Transfer to Debt Service Fund is up \$78,550 or 100% due to the first payment on the Suntrust Lease, which was obtained to purchase furnishings for the new police building.

Nondepartmental expenditures increased 146.72% or \$1,022,000. Transfers to the Capital Projects Fund increased due to transfers of funding for the stadium/amphitheater project, the curb, gutter and sidewalk project, and the Walnut Avenue bridge project.

I would be pleased to answer questions which City Council may have regarding the monthly financial statements.

Director of Finance

JDG/THT
Attachments

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE authorizing an agreement with the City of Salem, Virginia, to provide mutual automatic aid for fire protection services within designated areas; and authorizing notice of termination of the lease for the fire station located at 4810 Salem Turnpike, N.W.

BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. The City Manager and the City Clerk are hereby authorized on behalf of the City, to execute and attest, respectively, a Memorandum of Agreement for Mutual Automatic Aid for Fire Protection Services with the City of Salem, Virginia, which provides for mutual automatic aid for fire services within designated areas of the respective cities.
2. Such agreement to be in substantially the form attached to the City Manager's letter to this Council dated August 20, 2001, the form of such agreement to be approved as to form and execution by the City Attorney.
3. The City Manager is hereby authorized on behalf of the City to provide the required 90 day notice of termination of the lease on October 1, 2001, for the fire station located at 4810 Salem Turnpike, N.W., so that the lease terminates December 31, 2001.
4. During the implementation period Council will receive monthly status reports detailing the progress made by the Employee Transition Team.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION designating a Voting Delegate and Alternate Voting Delegate for the Annual Business Session and meetings of the Urban Section of the Virginia Municipal League and designating a Staff Assistant for any meetings of the Urban Section.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. For the Annual Business Session of the Virginia Municipal League to be held in Virginia Beach, Virginia, on October 16, 2001, and for any meetings of the Urban Section held in conjunction with the Annual Conference of the League,

_____, is hereby designated Voting Delegate, and

_____, Member of City Council, is hereby designated Alternate Voting Delegate.

2. For any meetings of the Urban Section of the Virginia Municipal League to be held in conjunction with the League's 2000 Annual Conference, Darlene L. Burcham, City Manager, shall be designated Staff Assistant.

3. Mary F. Parker, City Clerk, is directed to complete any forms required by the Virginia Municipal League for designation of Voting Delegate, Alternate Voting Delegate and Staff Assistant and to forward such forms to the League.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION designating a Voting Delegate
and Alternate Voting Delegate for the Annual Business Meeting of the National League of
Cities.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. For the National League of Cities Conference to be held on December 4 - 8,
2001, in Atlanta, Georgia, and any Business Meetings in connection with such Conference,
_____ is hereby designated Voting Delegate,
and _____ is hereby designated Alternate Voting
Delegate on behalf of the City of Roanoke, Virginia.

2. Mary F. Parker, City Clerk, is directed to take any action required by the
National League of Cities with respect to certification of the City's official Voting Delegate
and Alternate Voting Delegate.

ATTEST:

City Clerk.

***BESTPITCH
35541-090401***



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***SEPTEMBER 4, 2001
12:15 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

- 1. Call to Order--Roll Call. (Council Members Carder and Hudson were absent.)**

A communication from Mayor Ralph K. Smith requesting that Council convene in Closed Session to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.1-344 (A)(1) , Code of Virginia (1950), as amended.

(Approved 5-0)

File #110-132

A communication from the City Manager requesting a Closed Meeting to discuss disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.1-344(A)(3), Code of Virginia (1950), as amended.

(Approved 5-0)

File #2-132

**THE MEETING OF ROANOKE CITY COUNCIL WAS DECLARED
IN RECESS AT 12:20 P.M. TO BE RECONVENED IMMEDIATELY
IN THE EMERGENCY OPERATIONS CENTER CONFERENCE
ROOM, ROOM 159.**

***JOINT MEETING
CITY COUNCIL/CONGRESSMAN GOODLATTE***

Call to Order: Mayor Smith.

Welcome: Mayor Smith.

Invocation: Council Member Harris.

Lunch

Remarks by Congressman Goodlatte:

Remarks by Council Members:

Update on Passenger Rail Service/Improvements to air and transit service. Mr. Bestpitch.

Discussion Items:

Brownfields. Ms. Burcham.

Deferred Compensation Changes. Ms. Burcham and Mr. Grisso.

Other Business:

**THE MEETING OF ROANOKE CITY COUNCIL WAS DECLARED
IN RECESS TO BE RECONVENED AT 2:00 P.M., IN THE CITY
COUNCIL CHAMBER, FOURTH FLOOR, NOEL C. TAYLOR
MUNICIPAL BUILDING.**



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***SEPTEMBER 4, 2001
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

- 1. Call to Order--Roll Call.** (All present - Vice-Mayor Carder arrived at approximately 3:00 p.m.)

The Invocation was delivered by The Reverend Richard Geoghegan, Pastor, Cave Springs United Methodist Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTv Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, September 6, 2001, at 7:00 p.m., and Saturday, September 8, 2001, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE CITY COUNCIL AGENDA PACKAGE ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS THE AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT www.roanokegov.com, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541 TO OBTAIN AN APPLICATION.

PRESENTATIONS:

Proclamation declaring September 6 - 8, 2001, as "United Way - Days of Caring".

File #3-167

Proclamation declaring Thursday, September 20, 2001, as Southwest Virginia "Light The Night" Day; and the month of September 2001 as Leukemia & Lymphoma Awareness Month.

File #3

2.

CONSENT AGENDA

(APPROVED 6-0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

C-1 Minutes of the regular meeting of the Roanoke City Council held on Monday, August 20, 2001.

RECOMMENDED ACTION: Dispense with the reading thereof and approve as recorded.

C-2 A communication from the Honorable Donald S. Caldwell, Commonwealth's Attorney, tendering his resignation as a member of the Roanoke Valley-Allegheny Regional Commission.

RECOMMENDED ACTION: Receive and file the communication and accept the resignation.

File #326

- C-3 A communication from the City Manager recommending that a public hearing be advertised for Monday, September 17, 2001, at 7:00 p.m., in connection with granting an easement across City-owned property to CoxCom, Inc., d/b/a Cox Communications Roanoke (Cox Communications), for the purpose of constructing, owning, and operating a communications line.

RECOMMENDED ACTION: Concur in request.

File #28-166-448

- C-4 A communication from the City Manager recommending that a public hearing be advertised for Monday, September 17, 2001, at 7:00 p.m., in connection with the proposed vacation of a public easement on Churchill Drive, N. W.

RECOMMENDED ACTION: Concur in request.

File #28

- C-5 A communication from the City Clerk advising of the resignation of Thomas Pettigrew as a member of the Industrial Development Authority.

RECOMMENDED ACTION: Receive and file the communication and accept the resignation.

File #207

- C-6 Qualification of the following persons:

Brian M. Shepard as a member of the Roanoke Valley Greenways Commission for a term ending June 30, 2004.

Barry W. Baird as a member of the Roanoke Valley Greenways Commission for a term ending June 30, 2002.

Herbert D. McBride as a member of the Roanoke Public Library Board for a term ending June 30, 2004.

RECOMMENDED ACTION: Receive and file.

File #15-110-323-379

REGULAR AGENDA

3. HEARING OF CITIZENS UPON PUBLIC MATTERS: NONE.

4. PETITIONS AND COMMUNICATIONS:

- a. A communication from Council Member William D. Bestpitch, City of Roanoke Representative to Virginia's First Regional Industrial Facility Authority, recommending approval of an Agreement for Project Based Financing by Virginia's First Regional Industrial Facility Authority and amendment to the New River Valley Commerce Park Project Participation Agreement.

**Adopted Ordinance No. 35541-090401 and Ordinance No. 35542-090401. (6-0)
File #207-526**

5. REPORTS OF OFFICERS:

- a. CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

- 1. A communication recommending acceptance of a bid submitted by Hager Electric, LLC, for ballfield lighting replacement at Huff Lane Park - Fields 1 and 2, Strauss Park, Westside Ballfield - Field 1, Garden City Park, Norwich Park, Jackson Park and Preston Park, in the amount of \$436,281.48; and rejecting all other bids received by the City.

**Adopted Ordinance No. 35543-090401. (6-0)
File #67-472**

Upon completion of the projects, Council Member White requested that the City Manager contact the appropriate neighborhood organizations to brief members on ballfield lighting improvements.

File #67-165-472

2. A communication recommending transfer and appropriation of funds to the Department of Housing and Neighborhood Services for code enhancements.

Adopted Budget Ordinance No. 35544-090401. (6-0)

File #60-178-200-549

3. A communication recommending acceptance of a Local Government Challenge Grant from the Virginia Commission for the Arts, in the amount of \$5,000.00; and appropriation of funds in connection therewith.

Adopted Budget Ordinance No. 35545-090401 and Resolution No. 35546-090401. (6-0)

File #60-236-261-348-349-423

4. A communication recommending acceptance of the bid submitted by Consolidated Industrial Roofing, Inc., in connection with the re-roofing of the Public Works Service Center, in the amount of \$83,750.00; and transfer of funds in connection therewith.

Adopted Budget Ordinance No. 35547-090401 and Ordinance No. 35548-090401. (6-0)

File #60-183

5. A communication recommending acceptance of the bid submitted by Merle Callinder, t/a Callinder's General Construction, in connection with the Trevino Drive Storm Drainage Project, in the amount of \$167,901.80, and transfer of funds in connection therewith.

Adopted Budget Ordinance No. 35549-090401 and Ordinance No. 35550-090401. (6-0)

File #60-27

6. A communication recommending de-appropriation of \$25,140.00 in connection with the Roanoke Centre for Industry and Technology VDOT Industrial Access Funds.

**Adopted Budget Ordinance No. 35551-090401. (6-0)
File #60-207**

7. A communication recommending execution of a contract with Rosser International, Inc., to provide engineering services for design and development of construction documents and related work for Phase I of the Civic Center Expansion and Renovation Project, in the amount of \$262,500.00; and appropriation of funds in connection therewith.

**Adopted Budget Ordinance No. 35552-090401 (Ordinance No. 35552-090401 was re-introduced after Vice-Mayor Carder arrived at the meeting and adopted as an emergency on a 5-2 vote of Council, Council Member Hudson and Mayor Smith voted no) and Resolution Nos. 35553-090401 (6-0) and 35554-090401 (5-1, Mayor Smith voted no.)
File #53-60-192**

8. A communication recommending adoption of a resolution in support of efforts of the Read Mountain Alliance to preserve Read Mountain.

**Adopted Resolution No. 35555-090401. (6-0.)
File #548**

Mr. Carder entered the meeting at approximately 3:00 p.m.

9. A communication recommending appropriation and transfer of funds in connection with the Capital Maintenance and Equipment Replacement Program.

**Adopted Budget Ordinance No. 35556-090401. (7-0.)
File #60-217-472**

**Council Member Hudson requested a cost breakdown on implementation of the new solid waste collection program.
File #144**

10. A communication recommending appropriation of funds to support strategic technology needs and enhancements.

**Adopted Budget Ordinance No. 35557-090401. (7-0.)
File #60-217-301**

11. A communication in connection with establishing parking rates for the Gainsboro Parking Garage and Gainsboro Surface parking area.

**Adopted Resolution No. 35558-090401. (7-0.)
File #289-432**

12. A communication in connection with roof replacement at Eureka Recreation Center; and transfer of funds in connection therewith.

**Adopted Budget Ordinance No. 35559-090401 and
Ordinance No. 35560-090401. (7-0)
File #60-67**

**Council Member White requested that the City Manager contact representatives of appropriate neighborhood organization(s) with regard to action taken by the City.
File #165**

13. A communication in connection with a Fire and Emergency Medical Services Agreement to cooperatively and jointly co-staff the Roanoke County Clearbrook Station.

**Adopted Ordinance No. 35561-090401. (5-2, Council Members Hudson and Wyatt voted no.)
File #70**

**Council Member Bestpitch called attention to a communication from the Roanoke Firefighters Association with regard to certain issues of concern and requested that the matter be referred to the City Manager to insure that the issues are addressed as a part of the transition team process.
File #70**

b. DIRECTOR OF FINANCE:

- 1. A financial report for the month of July, 2001.
Received and filed.
File #1-10**

6. REPORTS OF COMMITTEES: NONE.

7. UNFINISHED BUSINESS: NONE.

8. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

- a. Ordinance No. 35534, on second reading, authorizing an agreement with the City of Salem to provide mutual automatic aid for fire protection services within designated areas; and authorizing notice of termination of the lease for the fire station located at 4810 Salem Turnpike, N. W.**

**Adopted Ordinance No. 35534-090401. (4-3, Council Members Harris, Hudson and Wyatt voted no.)
File #70**

- b. A Resolution designating a Voting Delegate and Alternate Voting Delegate for the Annual Business Session and meetings of the Urban Section of the Virginia Municipal League and designating a Staff Assistant for any meetings of the Urban Section on Tuesday, October 16, 2001, in Virginia Beach, Virginia.**

**Adopted Resolution No. 35562-090401. (7-0.)
File #17**

- c. A Resolution designating a Voting Delegate and Alternate Voting Delegate for the Annual Business Meeting of the National League of Cities on December 8, 2001, in Atlanta, Georgia.

**Adopted Resolution No. 35563-090401. (7-0.)
File #228**

9. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

**Council Member Harris, Council's liaison member to the Roanoke Redevelopment and Housing Authority, called attention to a joint meeting of Council and the Housing Authority on Thursday, October 18, 2001, at 5:00 p.m., and encouraged the Members of Council to provide him with discussion items for the agenda.
File #132-178**

**The City Manager called attention to a joint meeting of Council and the Board of Zoning Appeals on Monday, September 17, 2001, at 5:00 p.m., and requested that Council Members provide the City Clerk with discussion items for the agenda.
File #51-132**

**The City Attorney and Municipal Auditor were requested to prepare a measure for consideration by Council providing for a comprehensive internal audit of the school system which does not conflict with an opinion of the Attorney General, said audit to be performed by the Municipal Auditing Department, with specifics of the audit to be detailed in a yearly letter of engagement between City Council and the School Board; and that the Chair of the City's Audit Committee be requested to contact the Chair of the School Board's Audit Committee to convene a joint meeting of the two bodies to discuss details of the letter of engagement.
File #132-467**

- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

10. OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. IT IS A TIME FOR CITIZENS TO SPEAK AND A TIME FOR COUNCIL TO LISTEN. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

Mr. Martin Jeffrey, 3912 Hyde Park Drive, S. W., addressed Council with regard to numerous issues of concern to the citizens of Roanoke. He called attention to decisions that are made by Council on behalf of taxpayers, and advised that there are legitimate questions that citizens will continue to ask, and City government should be more accountable to its citizens when conducting City business.

File #66-132

Ms. Berniece Meador, 370 Koogler Drive, S. W., called attention to an individual canvassing her neighborhood who allegedly was contracted to photograph all houses and businesses in the Roanoke Valley for inclusion on the Internet. She requested more information on the project and an explanation as to why citizens were not informed.

The Director of Real Estate Valuation met with Ms. Meador following the meeting to address her concerns.

File #66

Ms. Evelyn D. Bethel, 35 Patton Avenue, N. E., addressed Council with regard to the issue of communication between City Council and the citizens of Roanoke.

File #66-132

The Council meeting was declared in recess for two closed sessions.

CERTIFICATION OF CLOSED SESSION. (7-0)

The following persons were appointed/reappointed:

Mack D. Cooper to the Flood Plain Committee for a term ending June 30, 2002.

File #237

Robert C. Poole to the Roanoke Civic Center Commission for a term ending September 30, 2004.

File #15-192

Edward S. Colonna to the New Construction Code, Board of Appeals, for a term ending September 30, 2006.

File #15-32

Christine C. Proffitt to the Roanoke Neighborhood Partnership Steering Committee for a term ending November 30, 2003.

File #15-488

Ben J. Fink as a Commissioner of the Roanoke Redevelopment and Housing Authority, for a term ending August 31, 2005.

File #15-178